

**Report Item No: 1**

<b>APPLICATION No:</b>	EPF/2191/07
<b>SITE ADDRESS:</b>	162 Trotwood Chigwell Essex IG7 5JW
<b>PARISH:</b>	Chigwell
<b>WARD:</b>	Grange Hill
<b>APPLICANT:</b>	Mr Steward
<b>DESCRIPTION OF PROPOSAL:</b>	TPO/EPF/26/90; T1 (TPO T2) Willow - 30% crown reduction and T2 (TPO T3) Willow - Fell.
<b>RECOMMENDED DECISION:</b>	Grant Permission (With Conditions)

**CONDITIONS**

- 1 The work authorised by this consent shall be carried out under the direct supervision of the Local Planning Authority, who shall receive in writing, 5 working days' notice of such works.
- 2 The crown reduction authorised by this consent shall be by no more than 30%.
- 3 All work authorised by this consent shall be undertaken in a manner consistent with British Standard 3998 (1989) (or with any similar replacement Standard).
- 4 The works hereby authorised shall not be undertaken after a period of three years from the date of this consent has expired.
- 5 A replacement tree or trees, of a number, species, size and in a position as agreed in writing by the Local Planning Authority, shall be planted within one month of the implementation of the felling hereby agreed, unless varied with the written agreement of the Local Planning Authority. If within a period of five years from the date of planting any replacement tree is removed, uprooted or destroyed, dies or becomes seriously damaged or defective another tree of the same species and size as that originally planted shall be planted at the same place, unless the Local Planning Authority gives its written consent to any variation.

*This application is before committee since all applications to fell preserved trees are outside the scope of delegated powers.*

**Description of Proposal:**

- T1. Willow. Crown reduce, as specified.  
T2. Willow. Fell.

## **Description of Site:**

These two 18m tall trees stand in the rear garden of this terraced residential dwelling. The trees are part of a line of preserved willows, which contribute greatly to the landscape presence in this modern residential estate when viewed from Copperfield. Several neighbouring trees have been either removed or reduced to pollards. This has increased the skyline importance of the two trees subject of this application.

## **Relevant History:**

TRE/EPF/32/93 gave consent for the reduction of the height and spread of the two willows at this address.

On 1/9/05 crown lifting works to give clearance to the footpath and road were deemed as exempt from planning control.

## **Relevant Policies:**

LL8: Pruning of preserved trees.

LL9: The Council will not give consent to fell a tree ..... protected by a Tree Preservation Order unless it is satisfied that this is necessary and justified. ....any such consent will be conditional upon appropriate replacement of the tree.

## **Issues and Considerations:**

### *Introduction*

The application is made on the basis that both trees are now very large and structurally weak. T2, in particular, is extensively decayed in the stem. Fears have been expressed by the applicant about the possibility of T2 falling onto the house following the loss of a wind blown branch and the pronounced lean towards the house

The key issue is whether or not T2's removal is justified due to its weakened condition.

### *1. Tree condition and pruning history.*

Evidence of previous crown reduction to these trees is visible high in the crown. The crowns have grown back to form natural looking canopies. T1 is in close proximity to the footpath and road and a crown reduction would not unduly harm the tree's health or appearance, while addressing issues of overhang and responsible tree management. Therefore the specified pruning would be seen to accord with local plan landscape policy.

T2 is noticeably less vigorous than its sibling with extensive quantities of dead wood in the middle and upper crown and large quantities of branch debris on the lawn beneath. A large limb has been ripped off by the wind from the stem, leaving a shattered stump close to the trunk at approximately 4 metres above ground level. There is a 100mm wide split in the stem, which starts at ground level and extends to at least 3 metres in height. A smaller crack has developed on the opposite side of the trunk at 1.5 m above ground level. Small fungal fruiting bodies were seen to be growing from it indicating degraded tissue in this area. Probing with a rod revealed an extensive depth of decay towards the centre of stem. Further up the stem; above 3 metres, the bark sounded dull when

tapped, indicating a column of decay extending further up the stem. Generally, the tree displays clear signs of structural weakness and will continue to become increasingly hazardous.

## 2. Amenity loss in the felling of the tree

T2 stands behind T1 close to Copperfield. It provides considerable landscape significance as one of a pair of mature willows at this point in the street scene. The removal of T2 will be a loss in terms of public landscape amenity, should permission be granted to fell it. However, this will be moderated by the retention of T1.

## 3. Other factors to be considered

Following the recent loss of the large limb the applicant expressed fears of the tree falling onto the house. T2 does lean towards the house and would hit the house if it fell, since it stands approximately 11m from the tree.

In the event of the tree being felled the remaining tree; T1 will become increasingly exposed to high wind loads. It is therefore recommended to reduce its crown to effectively lessen its sail area. It has been agreed that a 30% crown reduction is preferable to the original proposal to re-pollard at 8 metres. A condition to supervise the pruning works will be attached to the decision notice to ensure that the form of the tree is retained as much as possible.

T2's safe useful life expectancy is a key factor. Willow as a species is relatively short lived, with weakly structured wood, unable to resist the rapid spread of decay organisms. T2 has extensive decay, which appears to be spreading throughout the main stem. Based on crown vigour levels it would be reasonable to estimate that the tree has less than 5 years of safe useful life expectancy.

## **Conclusion:**

The pruning of T1 accords with the relevant landscape policy LL8, in that it is necessary for the tree to be retained, and is accordingly recommended for approval with appropriate conditions.

In respect of T2, it is recommended to grant permission to fell the tree on the grounds that there is clear evidence of long standing decay, extensively spreading through the stem with signs of dieback in the upper crown. The location of the tree also poses an unacceptably high risk to people and property. This risk is considered to outweigh the tree's amenity value. The proposal therefore accords with Local Plan Landscape Policy LL9.

A tree replacement condition is suggested in the event of members agreeing to allow the felling.

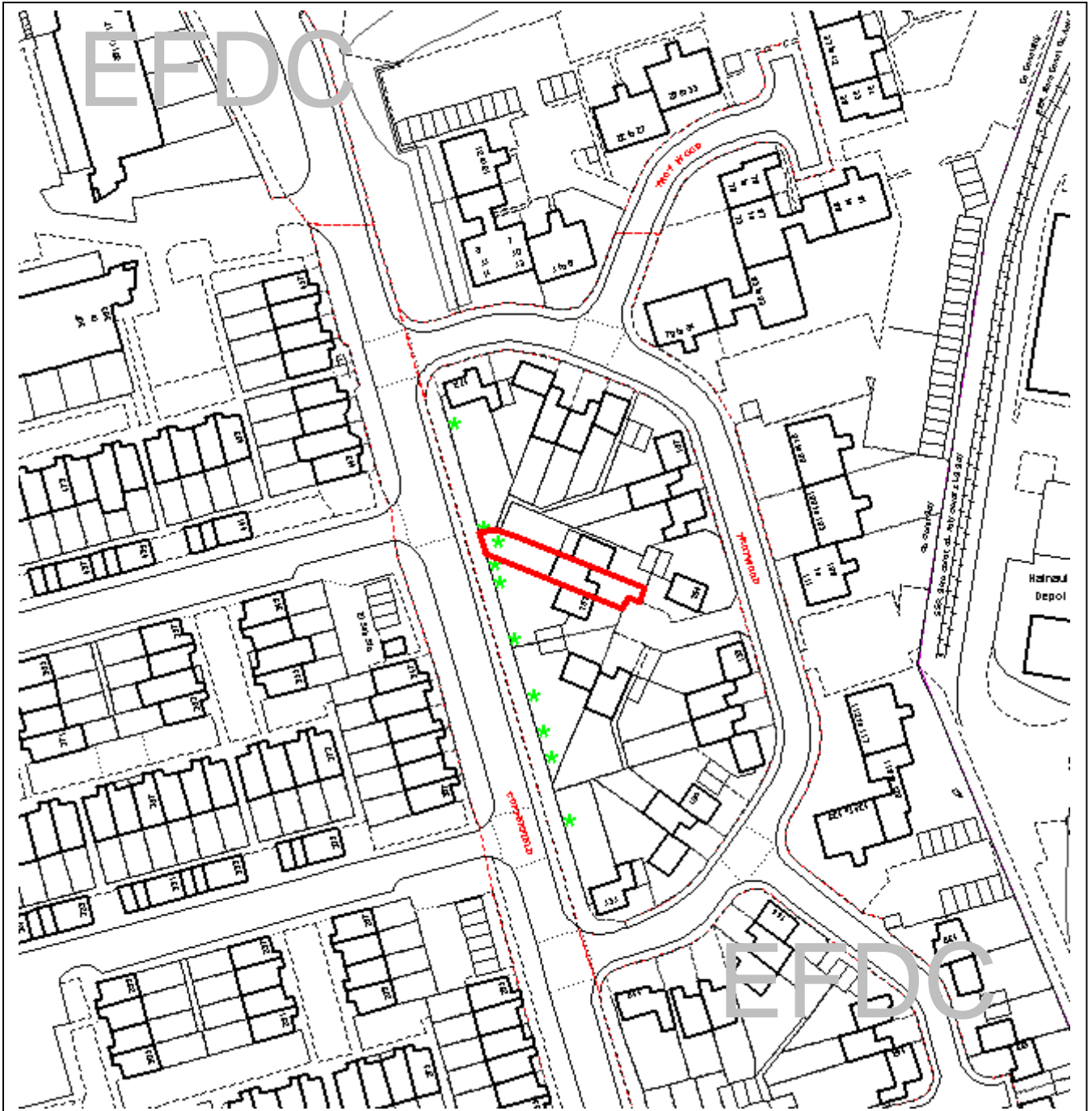
## **SUMMARY OF REPRESENTATIONS**

CHIGWELL PARISH COUNCIL have no objection to the proposal.



# Epping Forest District Council

## Area Planning Sub-Committee South



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<b>Agenda Item Number:</b>	1
Application Number:	EPF/2191/07
Site Name:	162 Trotwood, Chigwell, IG7 5JW
Scale of Plot:	1/1250

**Report Item No: 2**

<b>APPLICATION No:</b>	EPF/2348/07
<b>SITE ADDRESS:</b>	Rear of 108 Palmerston Road Buckhurst Hill Essex IG9 5LG
<b>PARISH:</b>	Buckhurst Hill
<b>WARD:</b>	Buckhurst Hill West
<b>APPLICANT:</b>	Ruskins Trees and Landscapes
<b>DESCRIPTION OF PROPOSAL:</b>	TPO/EPF/18/97: T3; Horse Chestnut: Fell.
<b>RECOMMENDED DECISION:</b>	Grant Permission (With Conditions)

**CONDITIONS**

- 1 A replacement tree or trees, of a number, species, size and in a position as agreed in writing by the Local Planning Authority, shall be planted within one month of the implementation of the felling hereby agreed, unless varied with the written agreement of the Local Planning Authority. If within a period of five years from the date of planting any replacement tree is removed, uprooted or destroyed, dies or becomes seriously damaged or defective another tree of the same species and size as that originally planted shall be planted at the same place, unless the Local Planning Authority gives its written consent to any variation.

*This application is before committee since all applications to fell preserved trees are outside the scope of delegated powers.*

**Description of Proposal:**

T3. Horse chestnut. Fell and replace.

**Description of Site:**

This 18m tall tree is located on the rear garden boundary abutting Westbury Lane. It contributes to the mature landscape character street scene close to the junction of Queens Road, where other large chestnut trees stand on both sides of the road

**Relevant History:**

TPO/EPF/18/97 was served to protect the best and most prominent trees on this side of Westbury Lane following a proposal to develop the rear garden of 112 Palmerston Road.

The new house at 1B Westbury Lane is close to a preserved chestnut tree standing in the rear garden of 110 Palmerston Road. Overhanging branches from this tree were harshly pruned by the new owners without permission. The disfigurement of this prominent tree has increased the amenity value of the subject tree.

### **Relevant Policies:**

LL9: The Council will not give consent to fell a tree ..... protected by a Tree Preservation Order unless it is satisfied that this is necessary and justified. ....any such consent will be conditional upon appropriate replacement of the tree.

### **Issues and Considerations:**

#### *Introduction*

The application is made on the basis that the tree is diseased with a fungal infection and therefore a danger to neighbouring property and users of Westbury Lane.

The issue is whether or not the tree's removal is justified due to this threat.

#### *1. Tree condition and pruning history.*

The tree is vigorous and appears healthy. A previous heavy crown reduction to a height of approximately 6m has produced several regenerated large vertical boughs to form the current high crown. No indication of recent pruning is evident. Minor deadwood is present in parts of the crown.

One buttress root on the eastern side of the stem has become weakened due to a soft white rot. A change in ground level, where an entrance to a garage has dropped the levels around the western side of the trunk, increases the likelihood of damaged or weakened roots in this area.

#### *2. Amenity loss in the felling of the tree*

The tree stands at the roadside of Westbury Lane, close to a road intersection with Queens Road. It forms a significant part of the mature chestnut planting in this area. Its removal will be a loss in terms of public landscape amenity, should permission be granted to fell.

#### *3. What other factors should be considered?*

The question of safe, useful life expectancy is a key factor in deciding this case. A qualified arboriculturist inspected the tree and identified the fungus as 'Meripilus giganteus' (giant polypore). It is his opinion: 'that it will ultimately lead to windthrow'. He does not give a timescale for this but it is reasonable to assume that, in the light of previous sightings of fruiting bodies at the stem base, the tree has less than 5 years of safe useful life expectancy.

The Council's tree officer confirms that the tree is suffering from a particularly dangerous root decay fungus. Chestnut wood is not structurally strong, which places it at a higher risk of failure once infected. It is unusual to find this decay fungus growing on this species but it is unlikely that the wood will resist the weakening effects of this aggressive root rot.

The tree's location places it in a high risk category of causing harm to users of the pavements and road, should it fall over. This is another major consideration in deciding whether to retain or remove the tree.

### **Conclusion**

While balanced, this case sets the retention of a high amenity specimen against the high risk of harm in the event of the tree's inevitable ultimate collapse.

It is recommended to grant permission to fell the tree on the grounds that the evidence of an established root decay fungus with a reputation for causing catastrophic root base failure is undisputed and the location of the tree poses an unacceptably high risk to people and property. The proposal therefore accords with Local Plan Landscape Policy LL9.

A condition requiring the replacement of this tree must be attached to the decision notice in the event of members agreeing to allow the felling.

### **SUMMARY OF REPRESENTATIONS:**

BUCKHURST HILL PARISH COUNCIL objects to the application and requires a report from the Council Tree Officer.

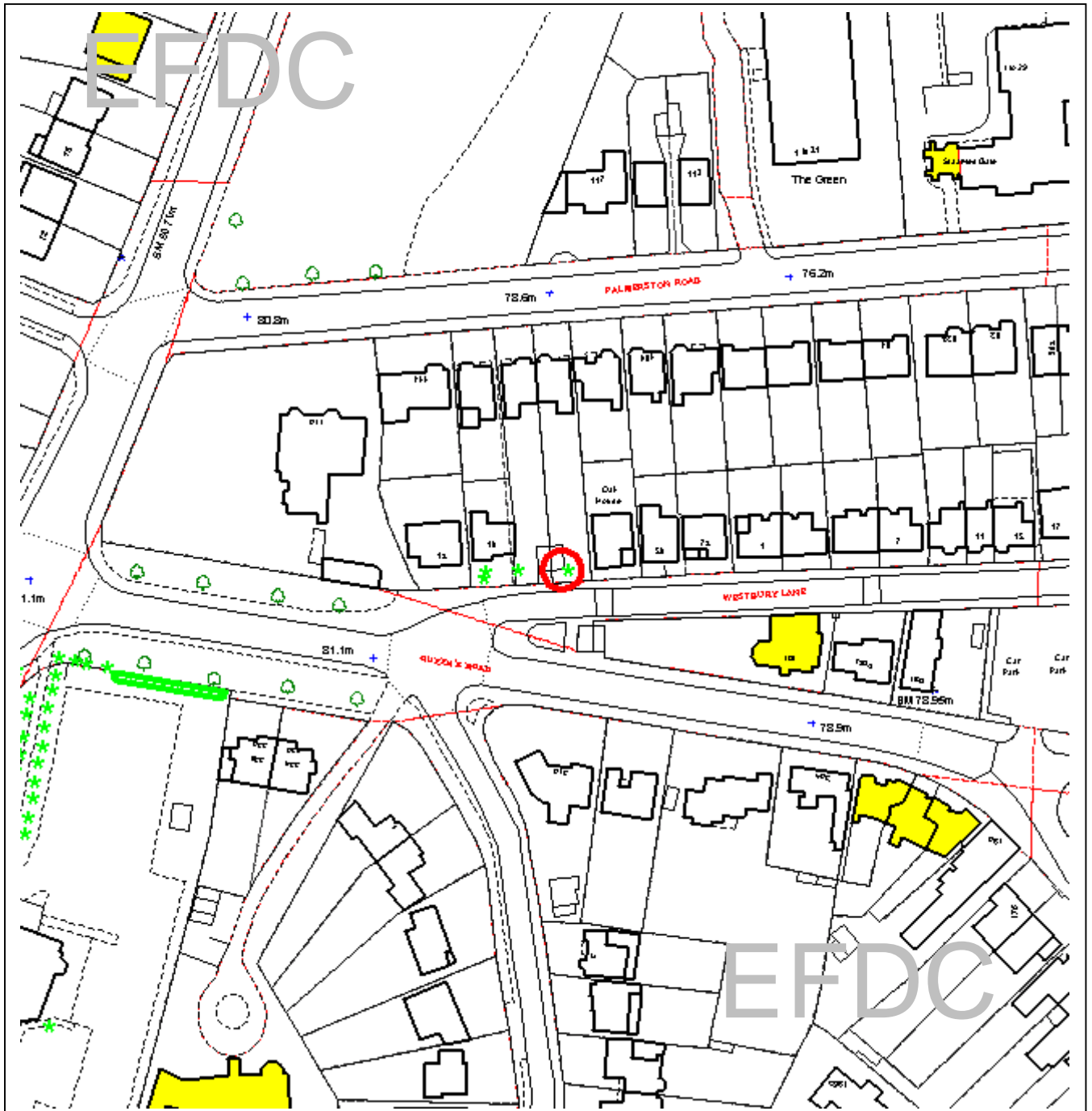
110 PALMERSTON ROAD strongly objects to the application to fell the tree on the following grounds:

- The tree is of great visual amenity to the locality
- Despite the fungal infection it showed better condition than his own tree, which stands beside the subject tree
- The tree will restrict the possibility to build a house on the plot.



# Epping Forest District Council

## Area Planning Sub-Committee South



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<b>Agenda Item Number:</b>	2
Application Number:	EPF/2358/07
Site Name:	Rear of 108 Palmerston Road, Buckhurst Hill, IG9 5LG
Scale of Plot:	1/1250



**Report Item No: 3**

<b>APPLICATION No:</b>	EPF/2366/07
<b>SITE ADDRESS:</b>	Bryony Close and 22-60 School House Gardens Loughton Essex IG10 3PD
<b>PARISH:</b>	Loughton
<b>WARD:</b>	Loughton Alderton
<b>APPLICANT:</b>	Mr Alex Newman
<b>DESCRIPTION OF PROPOSAL:</b>	TPO/27/93 - Lombardy Poplar x 6: Fell, Lime: remove 2 dead limbs.
<b>RECOMMENDED DECISION:</b>	Split Decision

**GRANT CONSENT FOR FELLING T2, T10, T18 & T19 AND PRUNING T31 & 35.**

**CONDITIONS**

- 1 A replacement tree or trees, of a number, species, size and in a position as agreed in writing by the Local Planning Authority, shall be planted within one month of the implementation of the felling hereby agreed, unless varied with the written agreement of the Local Planning Authority. If within a period of five years from the date of planting any replacement tree is removed, uprooted or destroyed, dies or becomes seriously damaged or defective another tree of the same species and size as that originally planted shall be planted at the same place, unless the Local Planning Authority gives its written consent to any variation.
- 2 The work authorised by this consent shall be carried out under the direct supervision of the Local Planning Authority, who shall receive in writing, 5 working days' notice of such works.
- 3 The crown reduction authorised by this consent shall consist of pruning back lower lateral overhanging branches to suitable unions.
- 4 The works hereby authorised shall not be undertaken after a period of three years from the date of this consent has expired.
- 5 All work authorised by this consent shall be undertaken in a manner consistent with British Standard 3998 (1989) (or with any similar replacement Standard).

**REFUSE CONSENT FOR FELLING T3 AND T21.**

**REASON FOR REFUSAL**

- 1 Insufficient evidence has been provided to justify the loss of T3 and T21 contrary to

policy LL9 of the Council's Adopted Local Plan and Alterations.

*This application is before committee since all applications to fell preserved trees are outside the scope of delegated powers.*

### **Description of Proposal:**

T2, 3, 10, 18, 19 & 21. Six Lombardy poplar - Fell and replace.  
T31 & 35. Two Lime - Removal of deadwood and low overhanging branches

### **Description of Site:**

The Poplars are part of a line of 15 –25 metre tall trees located along the south-eastern boundary of this large residential development. A second line of poplars runs beyond a footpath at the edge of the playing fields to form an avenue. There have been several tree losses from storm damage but the combined avenue of slim tall trees is a striking feature on the skyline when viewed from Borders Lane.

The lime trees T31 and T35 stand in green areas within the site and contribute greatly in the greening and softening of the densely developed estate.

### **Relevant History:**

TPO/EPF/18/97 was served to protect the best and most prominent trees on this site following a proposal to develop the land.

There are no records of applications to prune these trees.

### **Relevant Policies:**

LL9: The Council will not give consent to fell a tree ..... protected by a Tree Preservation Order unless it is satisfied that this is necessary and justified. ....any such consent will be conditional upon appropriate replacement of the tree.

LL8: Pruning of preserved trees.

### **Issues and Considerations:**

#### **Introduction**

The application is made on the basis that the trees to be felled are structurally dangerous, dead or dying and therefore present an unacceptable risk to nearby properties and users of the public footpath and car parking areas.

The issue is whether or not the trees' removal is justified due to this alleged threat.

## Considerations

The main consideration is whether the condition of the Poplars allows them to be safely retained.

### 1. Tree condition

The health and structural condition will be assessed individually, as follows:

T2 appears healthy and is one of the largest trees in the line, being the most southerly individual. An inspection report submitted by the applicant's agent suggests that there is a zone of decay at the base of the tree. No indication of recent pruning is evident. The council officer noted fresh cracks at the base of the trunk, which traced up the buttresses to about 1m. Bulges in the trunk, made up of rapidly growing new wood, were seen around the base. This deformity is consistent with the presence of internal decay, which triggers the laying down of new wood to maintain the tree's structural strength. Tapping the base of the trunk revealed dull sounding areas, which indicates weakened or decayed wood beneath the bark layer.

In view of the observations made by the agent and agreed with by the council tree officer T2 displays clear signs of structural weakness.

T3 appears to be a healthy tree, which has been suppressed by its immediate neighbour, T2. The proposal submits that the loss of T2 will expose this slender tree to increased wind loads, to which it is unaccustomed with the result of an increased potential for wind throw. This is a valid point but does not mention the sheltering presence of T4 and a smaller specimen beyond the fence line. In this case there does not appear to be any structural defect to justify the removal of this tree.

T10 appears to be healthy but of poor structural form. It has grown with two main stems from ground level and developed tightly growing stems, effectively growing against each other. Additionally, a large elder shrub has set itself between these stems and is adding to the pressures on T10's compromised stems as it has grown. The removal of the elder will reduce the pressure on the stem but could equally weaken the already poorly structured tree.

T18 appears to be in a poor condition with a sparse crown and much deadwood. Some mower damage is evident on a main buttress root. This tree has a short life expectancy.

T19 appears to be dead and therefore may be removed.

T21 appears to be of normal vigour and reasonable health. The submitted report suggested that an area of dull resonance was observed around the base when tapped with a mallet. No clear hollow sounding areas were noted when the council tree officer carried out a similar procedure. In light of this uncertainty, further investigation would be helpful, but the tree does not appear to present an immediate risk from the visible tree condition assessment carried out.

T31 the specification to remove dead branches cannot be objected to.

T35 has a vigorous and dense lower crown, which spreads extensively into an adjacent property. It is clear that the branches are causing a nuisance from direct contact with rooflines and gutters. The tree will tolerate the proposed reduction of spreading limbs without either harm to its health or appearance.

There are other considerations to be made in assessing the strength of the case.

## 2. Amenity loss in the felling of the trees

This line of tall poplars forms a significant screening landscape effect and the loss of individuals will undoubtedly detract from the general visual amenity of the group. There is evidence of previous tree losses by natural causes at various points along the line, where gaps and stumps are present and still the overall avenue effect remains strikingly clear in the local landscape. The removal of these selected trees will be a moderate loss in terms of public landscape amenity, should permission be granted to fell them.

## 3. Safe useful life expectancy

The question of safe useful life expectancy is a consideration in deciding this case. Poplars are accepted to be short lived trees with poor means of resisting the advance of decay. The line appears to be mature and beginning to show signs of flaws, requiring regular ongoing inspection to ensure the risk of future tree failures is managed. In this way four of the selected six trees appear to present an unacceptable risk in the opinion of the council tree officer.

## 4. Height reduction pruning.

The height of the trees is a factor in respect of the increased target zone, where damage can potentially occur at a wider range, which places these tree into a higher risk category.

An alternative to felling would be a drastic height reduction i.e. 30% topping. However, this would be problematic with poplars due to their poor strategy to resist decay.

## **Conclusion**

This case has resulted in a recommendation to split the decision in respect of the proposal to fell the six poplars.

It is recommended to grant permission to fell T2, T10, T18 and T19 on the grounds that the evidence of structural faults and poor health is undisputed and the location of the trees poses an unacceptably high risk to people and property. The proposal in respect of these four therefore accords with Local Plan Landscape Policy LL9.

A condition requiring the replacement of the four trees must be attached to the decision notice in the event of members agreeing to allow the felling.

In the case of T3 and T21 it is recommended to refuse permission to fell on the grounds that there is insufficient evidence to provide justification for their removal at this present time based on a visual tree inspection.

For T31 and T35, a recommendation to approve the pruning works is based on the need for good tree management in the built up areas in which the trees stand. The appropriate conditions will be attached to a decision notice in the event of members granting approval.

## **SUMMARY OF REPRESENTATIONS**

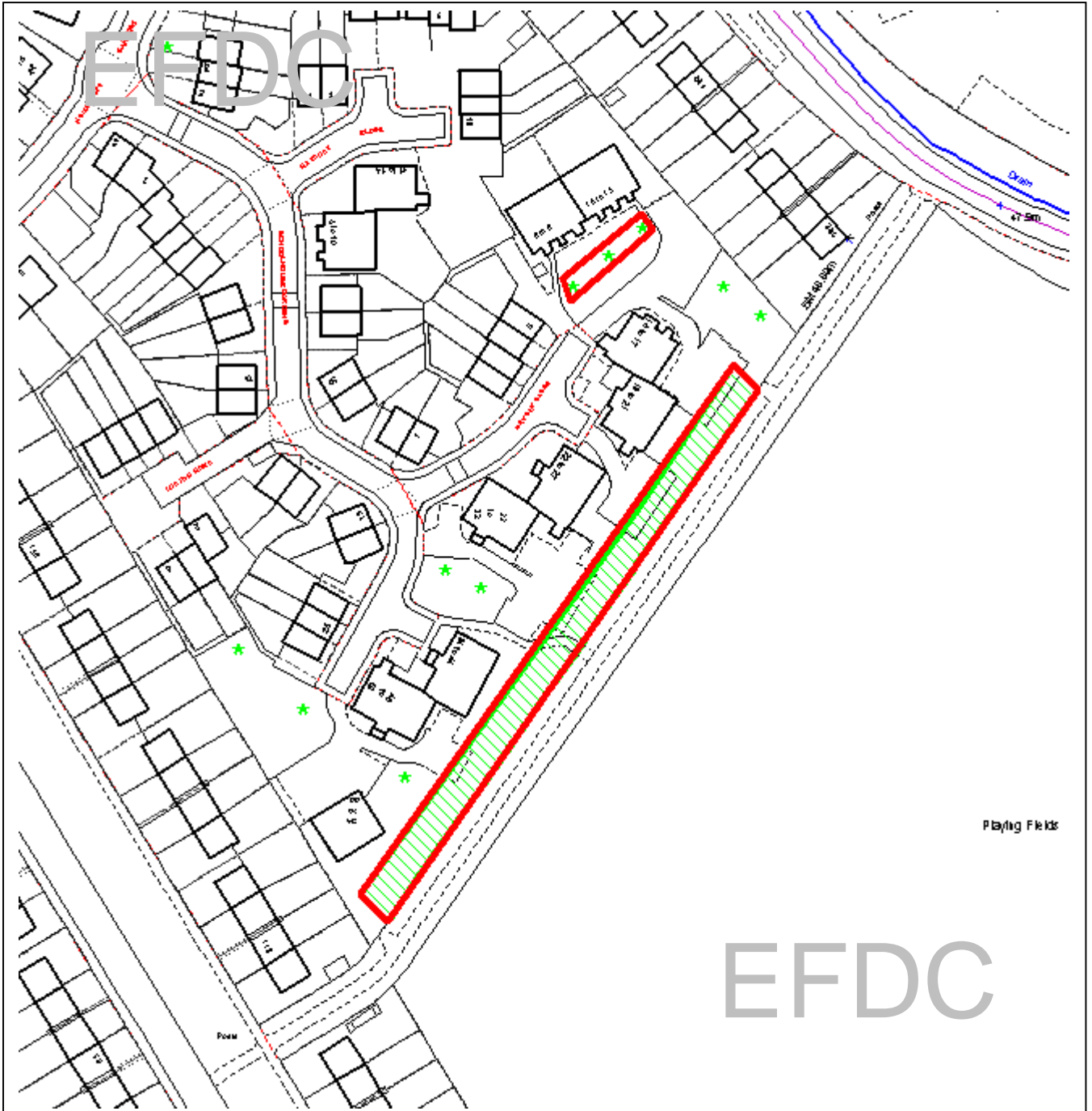
LOUGHTON TOWN COUNCIL objects to the application.

L.R.A. PLANNING GROUP - Object unless a long term plan for replacements is agreed with EFDC based on the advice of the EFDC Arboriculturist.



# Epping Forest District Council

## Area Planning Sub-Committee South



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<b>Agenda Item Number:</b>	<b>3</b>
Application Number:	EPF/2366/07
Site Name:	Bryony Close and 22-60 School House Gardens, Loughton, IG10 3PD

**Report Item No: 4**

<b>APPLICATION No:</b>	EPF/2212/07
<b>SITE ADDRESS:</b>	Church Hill Public Car Park adj Plume Of Feathers Church Hill Loughton Essex IG10 1QR
<b>PARISH:</b>	Loughton
<b>WARD:</b>	Loughton St Johns
<b>APPLICANT:</b>	Epping Forest District Council
<b>DESCRIPTION OF PROPOSAL:</b>	Outline planning application for a residential development comprising 8 no. one bed flats and 2 no. two bed flats.
<b>RECOMMENDED DECISION:</b>	Grant Permission (With Conditions)

**CONDITIONS**

- 1 Application for the approval of details reserved by this permission must be made not later than the expiration of three years from the date of this notice. The development hereby permitted must be begun not later than the expiration of two years from the date of the final approval of the details reserved by this permission or, in the case of approval on different dates, the final approval of the last matter approved.
- 2 The development hereby permitted shall be carried out in accordance with detailed plans and particulars which shall have previously been submitted to and approved by the Local Planning Authority, showing the layout of proposed development including the provision of garaging/visitors' car parking spaces/vehicles loading or unloading, and turning areas, and the siting, design and external appearance of each of the buildings and the means of access thereto and landscaping.
- 3 Details of the types and colours of the external finishes shall be submitted for approval by the Local Planning Authority in writing prior to the commencement of the development, and the development shall be implemented in accordance with such approved details.
- 4 Prior to the commencement of development details of screen walls, fences or such similar structures shall be agreed in writing by the Local Planning Authority, and shall be erected before the occupation of any of the dwellings hereby approved and maintained in the agreed positions.

5 Wheel washing or other cleaning facilities for vehicles leaving the site during construction works shall be installed in accordance with details which shall be submitted to and agreed in writing by the Local Planning Authority and these facilities installed prior to the commencement of any building works on site, and shall be used to clean vehicles leaving the site.

6 Before the commencement of the development, or of any works on the site, and concurrently with the detailed design plans, a tree survey shall be submitted to the Local Planning Authority. The survey shall contain relevant details on all trees on or adjacent to the site, and with a stem diameter of 100mm or greater, to include the following:

- (a) Reference number, species, location, girth or stem diameter, and accurately planned crown spread.
- (b) An assessment of condition, and value.
- (c) Existing ground levels, including contours where appropriate, adjacent to trees, where nearby changes in level, or excavations, are proposed.
- (d) Trees to be removed in conjunction with the proposed development shall be clearly marked as such on a plan.

7 The development, including site clearance, must not commence until a tree protection plan, to include all the relevant details of tree protection has been submitted to the Local Planning Authority and approved in writing.

The statement must include a plan showing the area to be protected and fencing in accordance with the relevant British Standard (Trees in Relation to Construction-Recommendations; BS.5837:2005). It must also specify any other means needed to ensure that all of the trees to be retained will not be harmed during the development, including by damage to their root system, directly or indirectly.

The statement must explain how the protection will be implemented, including responsibility for site supervision, control and liaison with the LPA.

The trees must be protected in accordance with the agreed statement throughout the period of development, unless the Local Planning Authority has given its prior written consent to any variation.

8 The development, including site clearance, must not commence until a scheme of landscaping and a statement of the methods of its implementation have been submitted to the Local Planning Authority and approved in writing. The approved scheme shall be implemented within the first planting season following the completion of the development hereby approved.

The scheme must include details of the proposed planting including a plan, details of species, stock sizes and numbers/densities where appropriate, and include a timetable for its implementation. If any plant dies, becomes diseased or fails to thrive within a period of 5 years from the date of planting, or is removed, uprooted or destroyed, it must be replaced by another plant of the same kind and size and at the same place, unless the Local Planning Authority agrees to a variation beforehand, and in writing.

The statement must include details of all the means by which successful establishment of the scheme will be ensured, including preparation of the planting area, planting methods, watering, weeding, mulching, use of stakes and ties, plant

protection and aftercare. It must also include details of the supervision of the planting and liaison with the Local Planning Authority.

The landscaping must be carried out in accordance with the agreed scheme and statement, unless the Local Planning Authority has given its prior written consent to any variation.

- 9 No tree, shrub, or hedge which are shown as being retained on the approved plans shall be cut down, uprooted, wilfully damaged or destroyed, cut back in any way or removed other than in accordance with the approved plans and particulars, without the written approval of the Local Planning Authority. All tree works approved shall be carried out in accordance with British Standard Recommendations for Tree Work (B.S.3998: 1989).

If any tree shown to be retained in accordance with the approved plans and particulars is removed, uprooted or destroyed, or dies, or becomes severely damaged or diseased within 3 years of the completion of the development, another tree, shrub, or hedge shall be planted at the same place, and that tree, shrub, or hedge shall be of such size, specification, and species, and should be planted at such time as may be specified in writing by the Local Planning Authority.

If within a period of five years from the date of planting any replacement tree is removed, uprooted or destroyed, or dies or becomes seriously damaged or defective another tree of the same species and size as that originally planted shall be planted at the same place, unless the Local Planning Authority gives its written consent to any variation.

- 10 Prior to the commencement of the development details of the proposed surface materials for any driveway and/or access roads shall be submitted to and approved in writing by the Local Planning Authority. The agreed surface treatment shall be completed prior to the first occupation of the development.
- 11 Prior to commencement of development, details of levels shall be submitted to and approved by the Local Planning Authority showing the levels of the site prior to development and the proposed levels of all ground floor slabs of buildings, roadways and accessways and landscaped areas. The development shall be carried out in accordance with those approved details.
- 12 Prior to commencement of development, including demolition or site clearance works, a phased contaminated land investigation shall be undertaken to assess the presence of contaminants at the site in accordance with an agreed protocol as below. Should any contaminants be found in unacceptable concentrations, appropriate remediation works shall be carried out and a scheme for any necessary maintenance works adopted.

Prior to carrying out a phase 1 preliminary investigation, a protocol for the investigation shall be agreed in writing with the Local Planning Authority and the completed phase 1 investigation shall be submitted to the Local Planning Authority upon completion for approval.

Should a phase 2 main site investigation and risk assessment be necessary, a protocol for this investigation shall be submitted to and approved by the Local Planning Authority before commencing the study and the completed phase 2 investigation with remediation proposals shall be submitted to and approved by the Local Planning Authority prior to any remediation works being carried out.



Following remediation, a completion report and any necessary maintenance programme shall be submitted to the Local Planning Authority for approval prior to first occupation of the completed development.

- 13 All material excavated from the below ground works hereby approved shall be removed from the site unless otherwise agreed in writing by the Local Planning Authority.
- 14 A scheme for protecting the proposed new dwellings from noise from traffic on Church Hill, the petrol filling station and the public house, shall be submitted to and agreed in writing by the Local Planning Authority. The scheme should ensure that bedrooms upon these façades meet the reasonable resting/sleeping conditions specified in British Standard BS8233: 1999 - Sound insulation and noise reduction for buildings - Code of practice. All works, which form part of the scheme, shall be completed before any of the proposed residential development is occupied.
- 15 No unbound material shall be used in the surface finish of the driveway within 6 metres of the highway boundary of the site.
- 16 Any gates shall not be erected until written agreement and approval has been obtained from the Local Planning Authority.
- 17 The access shall be laid to a gradient not exceeding 4% for the first 6 metres from the highway boundary and not exceeding 8% thereafter.
- 18 The principal access to serve the development shall be constructed as shown on the approved plan (to be agreed at Reserved Matter stage) prior to the commencement of any work upon any dwelling.
- 19 The proposed bellmouth junction with the existing highway, inclusive of cleared land necessary to provide the sight splays, shall be constructed and be available for use prior to the commencement of any other development including the delivery of materials.
- 20 Prior to the commencement of works, details of pedestrian access across the site shall be agreed in writing by the Local Planning Authority. These works will avoid any short term parking within the limits of the public highway.
- 21 The development hereby approved shall not take place until measures to enable transport/highway improvement necessitated by this development have been agreed in writing by the Local Planning Authority.
- 22 The development hereby approved shall not take place until measures to secure the provision of 40% of the total number of units to be affordable housing are in place by means of a legal undertaking with the Local Planning Authority.

*This application is before this Committee since it is an application for residential development of 5 dwellings or more and is recommended for approval; and is the Council's own application on land prior to disposal (Pursuant to Section P4, Schedule A(d) & (e) of the Council's Delegated Functions).*

### **Description of Proposal:**

Outline application for a residential development comprising of 8 one bedroom flats and 2 two bedroom flats; 10 car parking spaces would be provided; 40% affordable housing will be supplied.

Although an outline application, plans have been supplied as an indicative scheme for consideration, although details of siting, design, landscaping and access are reserved.

### **Description of Site:**

A roughly rectangular area which is currently a disused Council Car Park on the eastern side of Church Hill, between the Esso Petrol Station and the Plume of Feathers Public House. There are residential properties to the east in Marjoram's Avenue. The land slopes up to the south.

### **Relevant History:**

None relevant

### **Policies Applied:**

DBE 1 New buildings  
DBE 2 new buildings amenity  
DBE 6 Car Parking  
DBE 8 Amenity space  
DBE 9 Neighbour Amenity  
ST4 Parking  
ST6 Traffic Criteria  
LL10 Landscaping and Trees.

### **Issues and Considerations:**

The main issues in this application are

1. Building in context and effect on the street scene
2. Residential amenity
3. Highway issues
4. Landscaping

#### **1. Building in Context**

- The plot is a maximum of 28m wide and about 46m deep. Although the plans for the proposed block are indicative at this stage the block shown would be 'U' shaped, 26m deep, 15m wide and 9m high with gable end roofs. This would be around 0.8m higher than the adjacent public house.
- As positioned on the indicative plan a minimum gap to 1m would be maintained to the Plume of Feathers boundary and 5m to the petrol station.

- The character of this area is very mixed, with residential, community, commercial and retail uses all being present in the immediate vicinity on Church Hill, with a residential area to the immediate east.
- The site is of a size that a scheme such as this would not be an overdevelopment of the site, or out of keeping with the area. Its height is appropriate to the area and its function.
- This scheme will remove a rather unattractive, unused site in the area.
- It is accepted that this scheme will see the loss of a former small car park, but this was an underused facility and was not serving a local shopping centre, with Homebase and shops to the north both having their own car parks. It was declared surplus to requirements by the Council in March 2007.
- The scheme would be a suitable use of a brownfield site and would meet Government and local objective of the efficient reuse of urban brownfield sites and enabling the Council to meet its housing targets.

## 2. Residential Amenity

- The boundary of the residential properties in Marjoram's Avenue are a minimum of 15m from the rear elevation of the flats. The rear elevations of Nos 32 – 40 are a minimum of 19m back from the boundary, a total distance of 34m.
- However, even with this distance there is the potential for overlooking of these properties' rear elevations.
- The developer proposes to retain existing mature trees on the boundary and introduce additional planting to provide screening. In addition the design of the building can also reduce the perception of overlooking by not installing habitable rooms on the east elevation of the flats.
- Therefore it is considered that the distance, screening and further design work can reduce the potential to overlooking to an acceptable level.
- There will be no adverse loss of light or sunlight to any neighbour.
- There will be some impact on views from the gardens of Marjoram's Avenue, but it is the case that there is no right to a view in the Planning Legislation.
- The building would not be overbearing when viewed from these properties.
- The main potential harm to amenity would be from noise. Both the public house and the petrol station have the potential to generate noise and disturbance out of normal working hours.
- It is the case that there are numerous existing residential properties in Marjoram's Avenue and in Church Hill itself, and this would not be an unusual use in this diverse and mixed area.
- In addition residents of the block will need to assess the pro and cons of living next to these types of use before purchasing a unit, all of which are more likely to be used for dwellings for persons without children who would be more likely to be disturbed.
- It is considered that whilst noise and disturbance will be present this would not be so bad as to justify a refusal as various attenuation methods, such as double glazing, can be installed into the fabric of the building which would reduce any harm to below that which would justify a refusal.
- The private amenity space provided by the rear garden would be some 277m<sup>2</sup>. For a 10 bed block of flats the local plan recommends an area of 250m<sup>2</sup>.

## 3. Highways

- The site will, on the indicative plans, share an access with the petrol station on the southern boundary.
- The site was previously used as a car park and this use was greater than the new proposed use, with a redesigned access, which will enhance road safety.
- Highways have commented that this use of an existing access is unlikely to compromise highway safety.

- 10 parking spaces are provided. It is considered that this is an acceptable provision for one bed flats close to excellent public transport links.

#### 4. Landscaping

- Any scheme will need to have a robust planting and management scheme along eastern boundaries to ensure that the minimum impact on neighbouring properties is achieved. This can be the subject of conditions.

#### 5. Other Matters

- Neighbours have commented on the access arrangements to their rear gardens need to be considered, and the developer has indicated a willingness to reach an acceptable compromise.

### **Conclusion**

This is an outline application, albeit it contains sufficient detail for a proper appraisal to be made of the proposal. The site can comfortably accommodate a development of this type without any adverse impact on the street scene, or harm to the amenities of the neighbouring properties or businesses. The main amenity issue is that of noise. It is clear that this is a site which has the potential to be affected by the commercial uses on either side of the development, but it is also the case that the development can be constructed to reduce noise to an acceptable level on the site. For the reasons laid out above this application is therefore recommended for approval.

### **SUMMARY OF REPRESENTATIONS**

TOWN COUNCIL – OBJECT, contrary to policy DBE1 due to the loss of yet another car park, the safety aspect of the vehicle entrance, the unsuitable positioning of a residential building between a public house and a petrol station and the height of the proposed building.

LOUGHTON RESIDENTS ASSOCIATION – OBJECT, over development of the site, joint entrance appears dangerously constricted and we are concerned re possible conflicts with the garage, amenity space is inadequate and some will be unusable, some flats face the petrol station and will need double glazed unopenable windows on this side to meet noise issues.

30 MARJORAMS AVENUE – OBJECT, unsuitable for residential development, area much too noisy, tall building will cause loss of light and privacy, lose view of forest.

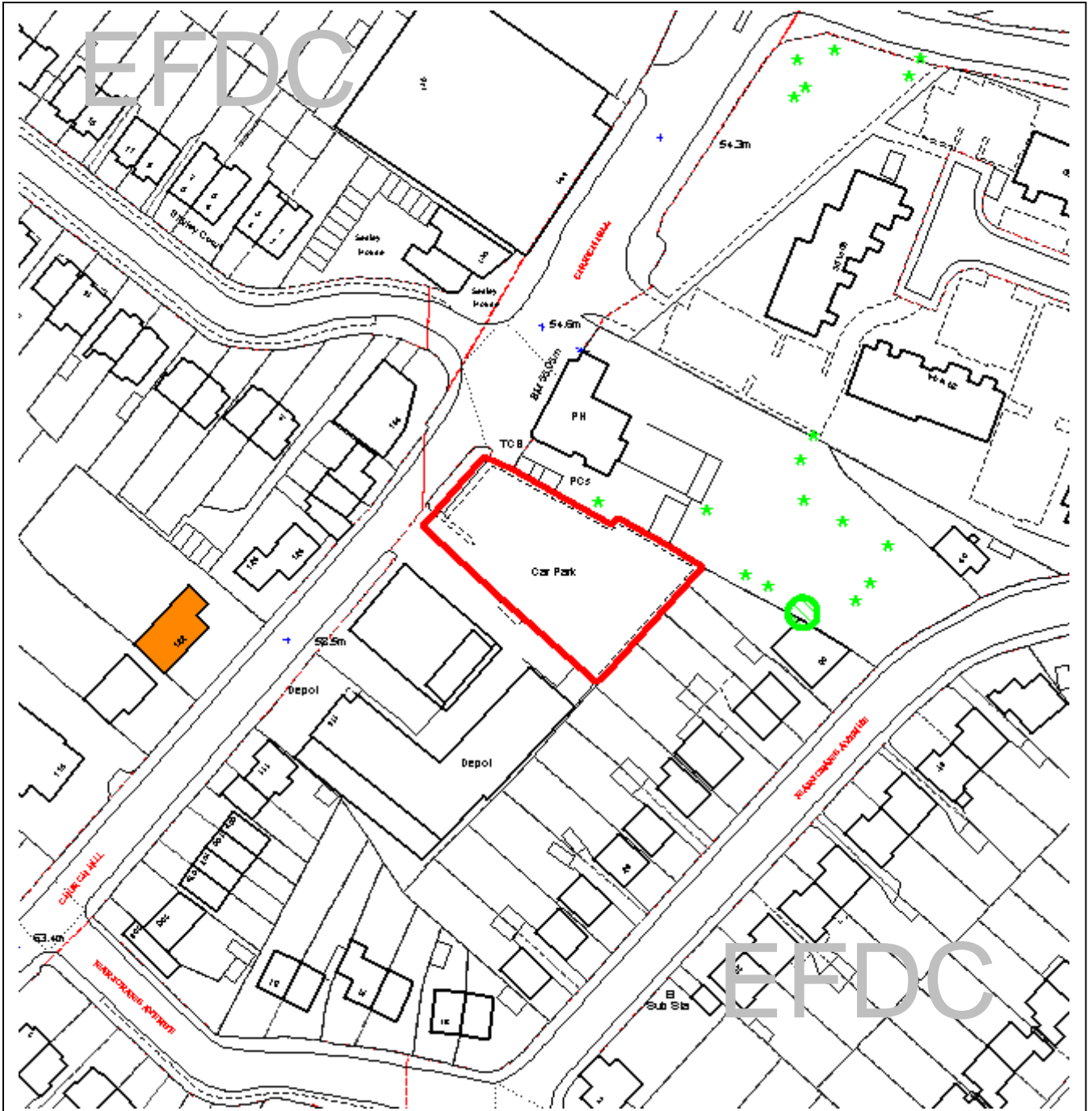
34 MARJORAMS AVENUE, the car park is an eyesore and needs to be developed, we have rear access to the site which needs to be maintained, we will be overlooked?

38 MARJORAMS AVENUE – broadly in favour, rear access from our garden to car park needs to be maintained with lockable gates, building height should not exceed the Plume of Feathers, and we have concerns about overlooking. We suffer noise problems from the pub and the trees on the boundary should be retained for soundproofing.



# Epping Forest District Council

## Area Planning Sub-Committee South



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<b>Agenda Item Number:</b>	<b>4</b>
Application Number:	EPF/2212/07
Site Name:	Church Hill Public Car Park, adj Plume Of Feathers, Church Hill, Loughton, IG10 1QR
Scale of Plot:	1/1250

**Report Item No: 5**

<b>APPLICATION No:</b>	EPF/2378/07
<b>SITE ADDRESS:</b>	Land adj. Saint Mary's Vicarage Priory Road Loughton
<b>PARISH:</b>	Loughton
<b>WARD:</b>	Loughton St Marys
<b>APPLICANT:</b>	Hampton Homes Ltd
<b>DESCRIPTION OF PROPOSAL:</b>	Erection of three dwellings with garaging/parking and access drive. (Revised application)
<b>RECOMMENDED DECISION:</b>	Grant Permission (With Conditions)

**CONDITIONS**

- 1 The development hereby permitted must be begun not later than the expiration of three years beginning with the date of this notice.
- 2 Details of the types and colours of the external finishes shall be submitted for approval by the Local Planning Authority in writing prior to the commencement of the development, and the development shall be implemented in accordance with such approved details.
- 3 Prior to the commencement of development details of screen walls, fences or such similar structures shall be agreed in writing by the Local Planning Authority, and shall be erected before the occupation of any of the dwellings hereby approved and maintained in the agreed positions.
- 4 Prior to first occupation of the building hereby approved the proposed window openings in flank walls shall be fitted with obscured glass and have fixed frames, and shall be permanently retained in that condition.
- 5 Notwithstanding the provision of the Town and Country Planning General Permitted Development Order 1995 (or of any equivalent provisions of any Statutory Instrument revoking or re-enacting the Order) no windows other than any shown on the approved plan shall be formed at any time in the flank walls of the building hereby permitted without the prior written approval of the Local Planning Authority.
- 6 Wheel washing or other cleaning facilities for vehicles leaving the site during construction works shall be installed in accordance with details which shall be submitted to and agreed in writing by the Local Planning Authority and these facilities installed prior to the commencement of any building works on site, and shall be used to clean vehicles leaving the site.
- 7 No development shall take place on site, including site clearance, tree works, demolition, storage of materials or other preparatory work, until all details relevant to the retention and protection of trees, hereafter called the Arboricultural Method

Statement, have been submitted to the Local Planning Authority and approved in writing. Thereafter the development shall be undertaken only in accordance with the approved details, unless the Local Planning Authority has given its prior written consent to any variation.

The Arboricultural Method Statement shall include a tree protection plan to show the areas designated for the protection of trees, shrubs and hedges, hereafter referred to as Protection Zones. Unless otherwise agreed, the Protection Zones will be fenced, in accordance with the British Standard Trees in Relation to Construction-Recommendations (BS.5837:2005) and no access will be permitted for any development operation.

The Arboricultural Method Statement shall include all other relevant details, such as changes of level, methods of demolition and construction, the materials, design and levels of roads, footpaths, parking areas and of foundations, walls and fences. It shall also include the control of potentially harmful operations, such as burning, the storage, handling and mixing of materials, and the movement of people or machinery across the site, where these are within 10m of any designated Protection Zone.

The fencing, or other protection which is part of the approved Statement shall not be moved or removed, temporarily or otherwise, until all works, including external works have been completed and all equipment, machinery and surplus materials removed from the site.

The Arboricultural Method Statement shall indicate the specification and timetable of any tree works, which shall be in accordance with the British Standard Recommendations for Tree Works (BS.3998: 1989).

The Arboricultural Method Statement shall include a scheme for the inspection and supervision of the tree protection measures. The scheme shall be appropriate to the scale and duration of the works and may include details of personnel induction and awareness of arboricultural matters; identification of individual responsibilities and key personnel; a statement of delegated powers; frequency, dates and times of inspections and reporting, and procedures for dealing with variations and incidents. The scheme of inspection and supervision shall be administered by a suitable person, approved by the Local Planning Authority but instructed by the applicant.

- 8 No tree, shrub, or hedge which are shown as being retained on the approved plans shall be cut down, uprooted, wilfully damaged or destroyed, cut back in any way or removed other than in accordance with the approved plans and particulars, without the written approval of the Local Planning Authority. All tree works approved shall be carried out in accordance with British Standard Recommendations for Tree Work (B.S.3998: 1989).

If any tree shown to be retained in accordance with the approved plans and particulars is removed, uprooted or destroyed, or dies, or becomes severely damaged or diseased within 3 years of the completion of the development, another tree, shrub, or hedge shall be planted at the same place, and that tree, shrub, or hedge shall be of such size, specification, and species, and should be planted at such time as may be specified in writing by the Local Planning Authority.

If within a period of five years from the date of planting any replacement tree is removed, uprooted or destroyed, or dies or becomes seriously damaged or defective another tree of the same species and size as that originally planted shall be planted

at the same place, unless the Local Planning Authority gives its written consent to any variation.

- 9 The development, including site clearance, must not commence until a scheme of landscaping and a statement of the methods of its implementation have been submitted to the Local Planning Authority and approved in writing. The approved scheme shall be implemented within the first planting season following the completion of the development hereby approved.

The scheme must include details of the proposed planting including a plan, details of species, stock sizes and numbers/densities where appropriate, and include a timetable for its implementation. If any plant dies, becomes diseased or fails to thrive within a period of 5 years from the date of planting, or is removed, uprooted or destroyed, it must be replaced by another plant of the same kind and size and at the same place, unless the Local Planning Authority agrees to a variation beforehand, and in writing.

The statement must include details of all the means by which successful establishment of the scheme will be ensured, including preparation of the planting area, planting methods, watering, weeding, mulching, use of stakes and ties, plant protection and aftercare. It must also include details of the supervision of the planting and liaison with the Local Planning Authority.

The landscaping must be carried out in accordance with the agreed scheme and statement, unless the Local Planning Authority has given its prior written consent to any variation.

- 10 Prior to the commencement of the development details of the proposed surface materials for the driveway shall be submitted to and approved in writing by the Local Planning Authority. The agreed surface treatment shall be completed prior to the first occupation of the development.
- 11 The area within the sight splays indicated on the submitted plan shall be formed to give a clear and continuous view of traffic and shall not contain obstructions above the crown of the adjacent road.
- 12 Gates shall not be erected on the vehicular access to the site without the prior written approval of the Local Planning Authority.
- 13 All construction/demolition works and ancillary operations (which includes deliveries and other commercial vehicles to and from the site) which are audible at the boundary of noise sensitive premises, shall only take place between the hours of 07.30 to 18.30 Monday to Friday and 08.00 to 13.00 hours on Saturday, and at no time during Sundays and Public/Bank Holidays unless otherwise agreed in writing by the Local Planning Authority.
- 14 Prior to commencement of the works hereby approved, a scheme shall be submitted to in writing to and agreed in writing by the Local Planning Authority showing the access road layout sufficient to meet the need for fire tender access to the site, which requires a size 3 turning head in compliance with the standards indicated in the Essex Design Guide. Once such a scheme has been approved it shall be implemented prior to the first occupation of the dwellings on the site.



- 15 Prior to the commencement of the works hereby approved a survey of the site shall be carried out to establish the presence or otherwise of any protected or rare species. For Stag Beetle Adults this should be undertaken between Mid May and early August. Details of the methodology, findings and conclusions of the survey shall be submitted to the LPA within 1 month of the completion of the survey, including a data search with relevant organisations.
- 16 If Stag Beetles are found to be present in the survey, details of the following are to be submitted in writing to the LPA prior to the commencement of the development:  
 1. Mitigation or enhancement works to minimise the adverse effects of the development on protected species,  
 2. A programme of timings for the works referred to in 1) above  
 These are then to be implemented in accordance with 2) above.
- 17 Notwithstanding the provisions of the Town and Country Planning General Permitted Development Order 1995 as amended (or any other order revoking, further amending or re-enacting that order) no development generally permitted by virtue of Part II, Class A - C shall be undertaken without the prior written permission of the Local Planning Authority.

*This application is before this Committee since it is an application for new residential developments and the recommendation differs from more than one expression of objection and from the views of the local council (Pursuant to Section P4, Schedule A (f) & (g) of the Council's Delegated Functions).*

**Description of Proposal:**

Erection of three dwellings with garages and parking area and access drive (revised application).

**Description of Site:**

The site is the side garden to the Vicarage of St Mary's Church, Loughton. The Vicarage is a large detached two storey house to the south east of the High Street. This part of the garden borders onto Brook Road and Path to the south, Churchfields to the west and Priory Road to the north. The site is accessed for vehicles from Priory Road. There are two protected trees close to the southwestern boundary of the proposed site, and there are mature trees on the northwestern boundary.

**Relevant History:**

EPF/0455/04	Outline application for the erection of 4 houses and a drive	approved
EPF/1575/06	Erection of 4 houses	withdrawn
EPF/0565/07	Erection of 4 houses (revised scheme)	withdrawn

## **Policies Applied:**

CP1, 3, 6 & 7 Core Policies re sustainable development  
H1A, H2A, H3A, H4A Housing Provision  
DBE 1, 2 Design of new buildings  
ST4 & 6 Highways & Parking  
DBE 6 Parking  
DBE 8 Amenity Space  
DBE 9 Impact on Amenity of neighbours  
LL10 Landscaping

## **Issues and Considerations:**

The main issues in this application are:

1. Context
2. Design
3. Sustainability
4. Listed Buildings
5. Neighbours Amenity
6. Landscaping
7. Parking & traffic

It should be noted that the original scheme for 4 houses on the site, that followed from an outline permission, has been revised to 3 houses due to the concerns expressed by the Council Landscape Officers on the potential serious harm to the protected trees and their impact on the amenities of the occupiers of the properties.

However, the principle of the development of the site has been approved.

### *1. Building in Context*

- The plot is a maximum of 60m wide and about 33m deep. The existing Vicarage would be retained and would also retain a large garden area.
- The three proposed houses would be two storey dwellings with gable and hip end roofs, concentrated in the northeastern part of the site away from the two protected trees. Units 1 and 3 would have attached garages, unit 2 a detached carport.
- They would be a maximum of 10.2m high. None of the dwellings comes to within 1.2m of the relevant boundaries.
- Plot 2, which is adjacent to No 2 Brook Road, is a minimum of 1.7m from the boundary fence.
- The character of this area is of the residential areas to the east, being mostly semi detached two storey properties, and the Church and Vicarage to the west.
- It is accepted that the houses would be higher than the properties in Brook Road and Churchfields, and differ in design, but they would be a similar height and design to the existing vicarage to the northwest.
- It is also the case that the site is higher than No 2 Brook Road due to a change in levels, but this height difference is not so significant as to result in excessive harm to the street scene.
- This scheme would form a small enclave of detached houses together with the Vicarage, and therefore would not be read as an extension of the linear pattern of existing houses on this side of the road.
- Being in the original grounds of the Church, their siting, layout and design have a closer affinity with the existing Vicarage and would be in keeping with this building and the Church to the northwest.

- The site is also well screened, such that the siting of the development would not be out of character with the surrounding area, or have an adverse or dominant visual impact on the street scene in Brook Road to justify a refusal.
- Objectors have commented that the scheme is for three storey dwellings of a town house design. Whilst it is the case there are rooms in the roof spaces the dwellings have the appearance of two storey houses in a traditional roof form. They do not have the appearance of town houses, and are detached from each other.

## 2. Design

- The scheme integrates well into the plot and takes advantage of the reduction in the number of units.
- The buildings are well designed and appropriate for their function.
- It is considered that design of the new buildings will not be out of place in this mixed and varied area.
- The materials can be conditioned to be appropriate to the area.

## 3. Sustainability & Urban Development

- This is previously developed land. In both Policy CP6, 7 and PPG3 priority is given to the reuse of previously developed land in urban areas, but this should not be at the expense of the quality of the local environment and unsympathetic change.
- It is considered that this is a good quality and sympathetic scheme which will enhance the appearance of the locality.

## 4. Listed Buildings

- St Mary's Church is a Grade II listed building, however it is some 48m to the northwest, and the Council's Conservation Officer has commented that the scheme will have no adverse effect on the setting of the listed building.

## 5. Amenity & Impact on Neighbours

- The main neighbours that potentially could be affected are 2 and 4 Brook Road, 35 Priory Road, and 1 – 11 Churchfields.
- There is potential for a loss of sunlight during the late afternoon to the rear elevation of no.2 Brook Road, but it would not be a significant amount due to the orientation and location of the site, and would not warrant a refusal. It is also relevant that no 2 Brook Road already has little sunlight in the afternoons due to the existing tree screen.
- No other neighbour would have any adverse loss of light or sunlight
- Plot 2 will overlook the back part of the rear garden of No 2 Brook Road, but this would not cause any adverse loss of privacy. Plot 1 is at 90° to No 2 Brook Road and is a minimum of 25m distant at this angle from the rear of No 2. In addition, a proposed carport will provide further screening as does the proposed planting along this boundary.
- Whilst this neighbour will experience the presence of two new houses in the vicinity of their house and rear garden, the careful design and layout of plots 1 & 2 have mitigated against any serious loss of amenity for this and future occupiers of 2 Brook Road.
- There is no adverse overlooking to the rear of the properties in Churchfields, northwest of Plot 1, due to the orientation of the proposed houses, layout of the site, tree screening and reasonable separation distances.
- It is considered that there will be no significant disturbance to the amenities of No 35 Priory Road despite the increased use of the existing access to the Vicarage to serve the three new houses.

- The amenity space required for a development of this size is some 140m<sup>2</sup> per unit, and this scheme provides at least 150m<sup>2</sup> per unit. Policy DBE8 is therefore met.

#### 6. Landscaping

- The scheme aims to retain many existing trees and add to the planting on the site. This can be subject to conditions to ensure the best scheme is put in place.
- There has been significant negotiations between officers and the applicants agent
- The Landscape Officer has commented that the scheme is now finally acceptable in terms of the retention of valuable preserved trees and of the trees impact on the amenities of the occupiers of Plots 2 and 3.
- Plot 3 in particular now will have a useable area of private garden not under the canopy of the retained Oak Tree.

#### 7. Highways & Parking

- The proposal provides six off road parking spaces, two for each house in any area, within easy walking distance of local facilities including good public transport links.
- The County Council have commented that the scheme for the access road does not quite satisfy the access needs of the Fire Brigade. However, this can be achieved by a suitably worded condition to ensure a satisfactory access prior to the commencement of the works.

#### 8. Other Matters

- A neighbour mentions a colony of Stag Beetles. These can be protected by the appropriate conditions requiring further details and mitigation methods to be agreed by the Council.

### **Conclusion**

The outline permission was granted for 4 houses after very careful consideration by Members of the Committee despite objections from local residents. Any development was likely to result in objections and there will be some amenity impact on adjoining neighbours. But Officers have now helped adapt a layout and design that is of 3 and not 4 houses and where the important trees on site are now not threatened. It fits in with the surrounding area and the overall conclusion is one of visual enhancement of the locality.

This scheme can be comfortably accommodated on the site and will not cause harm to the street scene by height, bulk or mass. It will not adversely affect the character or setting of the listed building. There is no adverse loss of amenity to the neighbouring properties and it would not be overbearing due to its design and siting. The parking provision is in line with the current standards and there is no harm to the protected trees. The recommendation is for approval.

### **SUMMARY OF REPRESENTATIONS**

PARISH COUNCIL – the committee were concerned about the possible overlooking from plot 2 to the existing neighbouring house.

2 BROOK ROAD – OBJECT, 3 storey houses will be totally out of proportion with the existing properties in Brook Road, land is 3 feet higher along my flank wall and patio area. I also object to the proposal to build only 1m from my boundary, there is only a gap of 10-11 inches between my flank wall and the boundary fence, and will create a terracing effect.

1 BROOK ROAD - OBJECT, The first is the proposed height of these 3 storey dwellings and the second point is that one of these dwellings is going to be either 1 metre or 4 metres from 2 Brook Road. This will drastically affect the layout of the houses in Brook Road, and in my opinion affect

the symmetry of my view. It will also block out the light that will now possibly be replaced by a house. There is a real harmony to the layout of houses in Brook Road and this developer obviously cannot see this? or they would never have proposed building a house in such close proximity to 2 Brook Road. All the houses have a significant amount of ground between them and the view from my house will be radically affected. 3 storey Townhouses are totally incongruous to the architectural design of the houses in Brook Road. I have to register my total objection to this proposed development on the grounds that I have laid out. I have to say that this developer must seriously rethink and redesign once again its proposed plans or the local council must block it until all the above complaints are remedied.

1A BROOK ROAD – OBJECT, totally out of keeping with Brook Road, land is higher and will exaggerate the height of the houses

28 BROOK ROAD – OBJECT, out of proportion with Browns Garages and existing properties in Brook Road. The vicarage land is about 1m higher than 2 Brook Road, increasing the height of the final development. One building is within 1m of No 2 Brook Road, which is too close.

1 CHURCHFIELD – comments, pleased to see a wall at the bottom of our garden, hope to see appropriate planting, who will be responsible for the rubbish collection area? Hope wall will be built before the main development. Please condition working hours.

3 CHURCHFIELDS – comments, some land belonging to Highways will be taken as roadway is wider than existing entrance gate, an ex stream bank at the bottom of the garden should be supported by a retaining wall, and fence should be extended to border the fire appliance turning, better not to have the gates close to the road, colony of stag beetles on site, hope disturbance will be minimised.

5 CHURCHFIELDS – OBJECT, houses too high and too big, not in keeping, loss of sunlight and view.

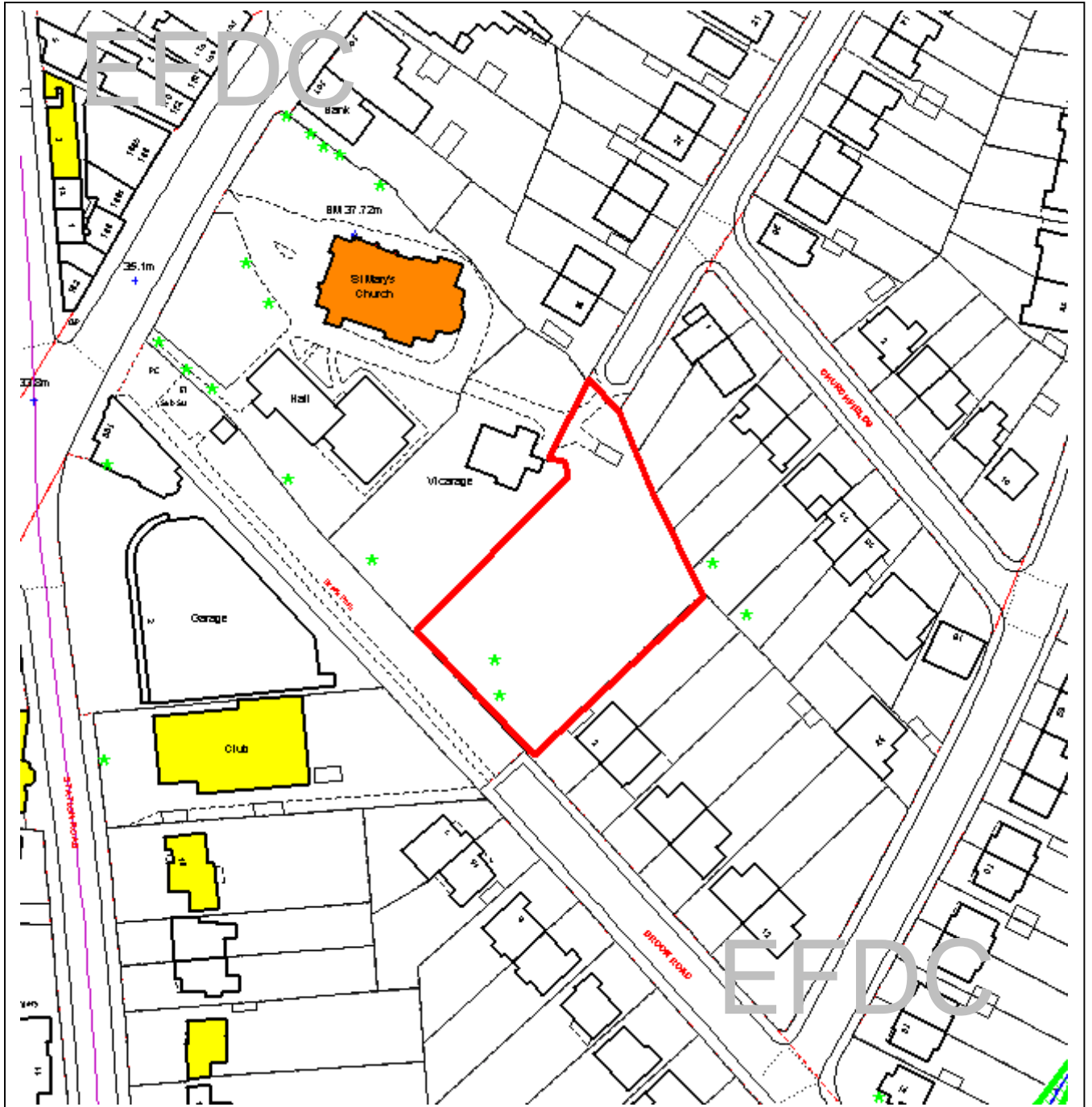
17 CHURCHFIELDS –OBJECT, size of proposed scheme with 3<sup>rd</sup> floor. Will tower over local houses and overlook local properties. Increase in volume of traffic and loss of amenity. Can the local infrastructure cope? Exit should be into Brook Road.

LOUGHTON RESIDENTS ASSOCIATION – OBJECT, out of keeping and proportion, existing properties in Brook Road will suffer the most impact visually. We understand the Rectory land is 3 feet higher than the Brook Road House, increasing the height of the development even more.



# Epping Forest District Council

## Area Planning Sub-Committee South



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<b>Agenda Item Number:</b>	<b>5</b>
Application Number:	EPF/2378/07
Site Name:	Land adj, Saint Marys Vicarage, Priory Road, Loughton
Scale of Plot:	1/1250

**Report Item No: 6**

<b>APPLICATION No:</b>	EPF/2387/07
<b>SITE ADDRESS:</b>	Public Telephone Kiosk 0208 502 1855 Outside 258 High Road Loughton Essex IG10 1HD
<b>PARISH:</b>	Loughton
<b>WARD:</b>	Loughton St Marys
<b>APPLICANT:</b>	Mrs Mandy Greenslade
<b>DESCRIPTION OF PROPOSAL:</b>	Replacement of one existing telephone kiosk with ATM kiosk.
<b>RECOMMENDED DECISION:</b>	Grant Permission (With Conditions)

**CONDITIONS**

- 1 The development hereby permitted must be begun not later than the expiration of three years beginning with the date of this notice.

*This application is before this Committee since the recommendation differs from the views of the local council (Pursuant to Section P4, Schedule A (g) of the Council's Delegated Functions).*

**Description of Proposal:**

Consent is being sought for the replacement of one existing telephone kiosk with an ATM kiosk. This would have the same footprint and appearance as the existing telephone kiosk, however would contain an ATM machine rather than a telephone.

**Description of Site:**

Back to back double telephone kiosk located outside of 258 High Road, Loughton, within the Loughton Town Centre boundary.

**Relevant History:**

None

## **Policies Applied:**

TC1 – Town Centre Hierarchy  
TC3 – Town Centre Function  
CP6 – Achieving Sustainable Urban Development Patterns  
ST1 – Location of Development  
ST2 – Accessibility of Development  
ST4 – Road Safety

## **Issues and Considerations:**

The main issues here relate to the appropriateness of the development in this location, the impact that it would have on the vitality and viability of the town centre, and its potential highway implications.

### *1. Location*

Policy TC1 states that “the Council will, in principle, permit proposals which should sustain or improve the vitality and viability of any of the (town) centres”. This is further backed up by policy TC3 (i) whereby “the Council will permit new retail and other town centre uses that make the centres attractive and useful places to shop, work and visit throughout the day and evening”. An ATM machine is very much a town centre use and is not inappropriate development in town centre locations. The design of the proposed ATM kiosk will be almost identical to the existing telephone kiosk, and therefore in terms of visual impact the application site would be predominantly unchanged.

### *2. Town Centre Vitality and Viability*

The closest ATM machine to this site is 140m to the south, located in The Abbey, and other ATM machines within the town centre are between 300m and 640m south from this proposed development. Queuing does not impact upon the free flow of pedestrian movement in these locations and the proposal is unlikely to cause traffic or pedestrian congestion in this part of the town centre. Policy CP6 (i) gives the emphasis to “improving the quality of life in urban areas, making them more attractive places in which to live, work, shop, spend leisure time and invest, and achieving a significant enhancement of the vitality and viability of the urban environment”. The requirement of ATM machines is a feature in the modern town centre and are convenient for users, particularly shoppers and local residents. The unit here is likely to bring more interest in this more secondary area of the town centre to the overall benefit of the town centre as a whole.

### *3. Highway Implications*

The Town Council feel that this proposal would add to vehicle parking in the vicinity. There is local parking just north of the site and the public car park near the library, and this part of the street, where the proposal would be located, has double yellow lines. The greater user will be shoppers, traders and residents so that parking problems are unlikely to be a major issue.

### *4. Other Considerations*

Another issue raised by the Town Council is with regards to ‘security issues’. The provision of a private ATM in a kiosk would be considerably safer in terms of personal security than an open-air ATM machine. Several similar proposals have been approved in 64 other Local Authority areas, and in each instance consultations have been undertaken with the local Police Crime Prevention officers, of which Epping Forest is no exception. Due to this the proposed ATM kiosk is felt to



comply with policy ST2, which states that “new development must be designed to reduce the potential for crime and fear of crime”.

**Conclusion:**

Whilst there may be short-term vehicle parking associated with the proposal, the benefits of the ATM kiosk outweigh this concern and provide a better service for all users of the town centre without undue highway or amenity harm. The proposal is therefore recommended for approval.

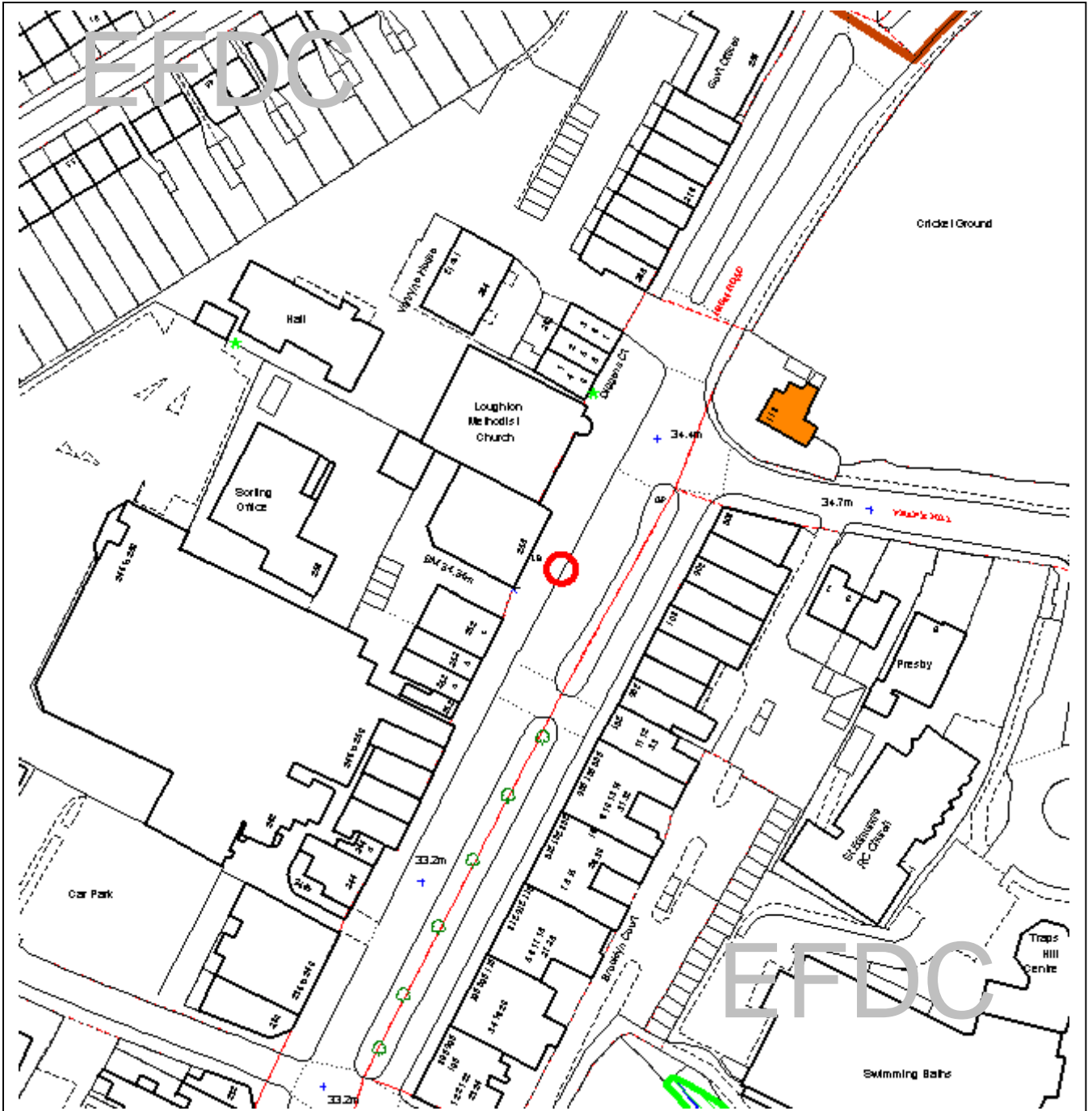
**SUMMARY OF REPRESENTATIONS:**

TOWN COUNCIL – Object due to the possibility of more people gathering on the pavement, the security issues and more vehicles parking up in the vicinity.



# Epping Forest District Council

## Area Planning Sub-Committee South



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<b>Agenda Item Number:</b>	<b>6</b>
<b>Application Number:</b>	EPF/2387/07
<b>Site Name:</b>	Public Telephone Kiosk 0208 502 1855 Outside 258 High Road, Loughton IG10 1HD
<b>Scale of Plot:</b>	1/1250

**Report Item No: 7**

<b>APPLICATION No:</b>	EPF/2510/07
<b>SITE ADDRESS:</b>	1 and 1a Warren Hill Loughton Essex IG10 4RL
<b>PARISH:</b>	Loughton
<b>WARD:</b>	Loughton Forest
<b>APPLICANT:</b>	Warren Hill Development Company Ltd
<b>DESCRIPTION OF PROPOSAL:</b>	Demolition of existing buildings and erection of five detached dwellings and all associated works. Removal of section 52 agreement. (Revised application)
<b>RECOMMENDED DECISION:</b>	Grant Permission (With Conditions)

**CONDITIONS**

- 1 The development hereby permitted must be begun not later than the expiration of three years beginning with the date of this notice.
- 2 Details of the types and colours of the external finishes shall be submitted for approval by the Local Planning Authority in writing prior to the commencement of the development, and the development shall be implemented in accordance with such approved details.
- 3 Prior to the commencement of development details of screen walls, fences or such similar structures shall be agreed in writing by the Local Planning Authority, and shall be erected before the occupation of any of the dwellings hereby approved and maintained in the agreed positions.
- 4 Wheel washing or other cleaning facilities for vehicles leaving the site during construction works shall be installed in accordance with details which shall be submitted to and agreed in writing by the Local Planning Authority and these facilities installed prior to the commencement of any building works on site, and shall be used to clean vehicles leaving the site.
- 5 No development shall take place on site, including site clearance, tree works, demolition, storage of materials or other preparatory work, until all details relevant to the retention and protection of trees, hereafter called the Arboricultural Method Statement, have been submitted to the Local Planning Authority and approved in writing. Thereafter the development shall be undertaken only in accordance with the approved details, unless the Local Planning Authority has given its prior written consent to any variation.

The Arboricultural Method Statement shall include a tree protection plan to show the areas designated for the protection of trees, shrubs and hedges, hereafter referred to as Protection Zones. Unless otherwise agreed, the Protection Zones will be

fenced, in accordance with the British Standard Trees in Relation to Construction-Recommendations (BS.5837:2005) and no access will be permitted for any development operation.

The Arboricultural Method Statement shall include all other relevant details, such as changes of level, methods of demolition and construction, the materials, design and levels of roads, footpaths, parking areas and of foundations, walls and fences. It shall also include the control of potentially harmful operations, such as burning, the storage, handling and mixing of materials, and the movement of people or machinery across the site, where these are within 10m of any designated Protection Zone.

The fencing, or other protection which is part of the approved Statement shall not be moved or removed, temporarily or otherwise, until all works, including external works have been completed and all equipment, machinery and surplus materials removed from the site.

The Arboricultural Method Statement shall indicate the specification and timetable of any tree works, which shall be in accordance with the British Standard Recommendations for Tree Works (BS.3998: 1989).

The Arboricultural Method Statement shall include a scheme for the inspection and supervision of the tree protection measures. The scheme shall be appropriate to the scale and duration of the works and may include details of personnel induction and awareness of arboricultural matters; identification of individual responsibilities and key personnel; a statement of delegated powers; frequency, dates and times of inspections and reporting, and procedures for dealing with variations and incidents. The scheme of inspection and supervision shall be administered by a suitable person, approved by the Local Planning Authority but instructed by the applicant.

- 6 No tree, shrub, or hedge which are shown as being retained on the approved plans shall be cut down, uprooted, wilfully damaged or destroyed, cut back in any way or removed other than in accordance with the approved plans and particulars, without the written approval of the Local Planning Authority. All tree works approved shall be carried out in accordance with British Standard Recommendations for Tree Work (B.S.3998: 1989).

If any tree shown to be retained in accordance with the approved plans and particulars is removed, uprooted or destroyed, or dies, or becomes severely damaged or diseased within 3 years of the completion of the development, another tree, shrub, or hedge shall be planted at the same place, and that tree, shrub, or hedge shall be of such size, specification, and species, and should be planted at such time as may be specified in writing by the Local Planning Authority.

If within a period of five years from the date of planting any replacement tree is removed, uprooted or destroyed, or dies or becomes seriously damaged or defective another tree of the same species and size as that originally planted shall be planted at the same place, unless the Local Planning Authority gives its written consent to any variation.

- 7 No development shall take place, including site clearance or other preparatory work, until full details of both hard and soft landscape works (including tree planting) have been submitted to an approved in writing by the Local Planning Authority, and these works shall be carried out as approved. These details shall include, as appropriate, and in addition to details of existing features to be retained: proposed finished levels

or contours; means of enclosure; car parking layouts; other vehicle artefacts and structures, including signs and lighting and functional services above and below ground. Details of soft landscape works shall include plans for planting or establishment by any means and full written specifications and schedules of plants, including species, plant sizes and proposed numbers / densities where appropriate. If within a period of five years from the date of the planting or establishment of any tree, or shrub or plant, that tree, shrub, or plant or any replacement is removed, uprooted or destroyed or dies or becomes seriously damaged or defective another tree or shrub, or plant of the same species and size as that originally planted shall be planted at the same place, unless the Local Planning Authority gives its written consent to any variation.

- 8 No development shall take place, including site clearance or other preparatory work, until all details relevant to the implementation of hard and soft landscape works and tree planting, hereafter called the Landscape Method Statement, have been submitted to the LPA, and the development shall not commence until the Landscape Method Statement has been approved by the LPA in writing. All landscape works shall be undertaken in accordance with the approved details, unless the LPA has given its prior written consent to any variation.

The Landscape Method Statement shall include as appropriate, protection of the planting areas, where appropriate by fencing, during construction; preparation of the whole planting environment, particularly to provide adequate drainage; and the provision which is to be made for weed control, plant handling and protection, watering, mulching, and the staking, tying and protection of trees. The Landscape Method Statement shall also normally include provision for maintenance for the period of establishment, including weeding, watering and formative pruning, and the removal of stakes and ties. Provision shall be made for replacement of any plant, including replacements, that are removed, are uprooted, or which die or fail to thrive, for a period of five years from their planting, in the first available season and at the same place, with an equivalent plant, unless the LPA has given its prior written consent to any variation.

- 9 All construction/demolition works and ancillary operations (which includes deliveries and other commercial vehicles to and from the site) which are audible at the boundary of noise sensitive premises, shall only take place between the hours of 07.30 to 18.30 Monday to Friday and 08.00 to 13.00 hours on Saturday, and at no time during Sundays and Public/Bank Holidays unless otherwise agreed in writing by the Local Planning Authority.
- 10 A flood risk assessment shall be submitted to and approved by the Local Planning Authority prior to commencement of development. The assessment shall include calculations of increased run-off and associated volume of storm detention using Windes or other similar programme. The approved measures shall be undertaken prior to the first occupation of the building hereby approved and shall be adequately maintained in accordance with a management plan to be submitted concurrently with the assessment.
- 11 Prior to occupancy of the site details indicating the provision of drainage shall be submitted to and approved in writing by the Local Planning Authority and these drainage details shall be implemented in accordance with these details and retained thereafter.

- 12 Prior to commencement of development, details of levels shall be submitted to and approved by the Local Planning Authority showing the levels of the site prior to development and the proposed levels of all ground floor slabs of buildings, roadways and accessways and landscaped areas. The development shall be carried out in accordance with those approved details.
- 13 Prior to the commencement of the development details of the proposed surface materials for the vehicle access shall be submitted to and approved in writing by the Local Planning Authority. The agreed surface treatment shall be completed prior to the first occupation of the development.
- 14 Measures shall be undertaken to ensure that no surface water runoff drains onto the highway from the proposed access.
- 15 No development shall take place until an undertaking is secured by the Local Planning Authority for the off-site provision within Loughton by the applicant, through purchase on the open market of 3 No. 3 bed houses within 9 months of the date of this approval and 2 No. 3 bed houses within 12 months of the date of this approval.
- 16 Prior to development taking place mitigation of the site shall be undertaken as proposed in the supporting documentation.
- 17 No development hereby approved shall take place until measures to enable Highway improvements necessitated by this development have been agreed in writing by the Local Planning Authority.

**It is further recommended that:** the section 52 agreement relating to the bungalow on this site be deleted.

*This application is before this Committee since it is an application for residential development of 5 dwellings or more and is recommended for approval (Pursuant to Section P4, Schedule A (d) of the Council's Delegated Functions).*

### **Description of Proposal:**

This application is for the demolition of existing buildings and the erection of five detached dwellings and associated works. This proposal also involves the removal of a section 52 agreement referring to the bungalow to the rear of the site.

The application proposes the demolition of the two existing buildings on the site and the erection of five, five bed houses with an associated private road leading through the site and the removal of several protected trees.

### **Description of Site:**

The application site comprises a 0.65 hectare area of land on the northern side of Warren Hill. The site is bordered by residential developments to the north and west, playing fields to the east, and

Epping Forest to the south. The plot of land is located on the edge of the built up area of Loughton and contains several TPO trees and a survey has revealed great crested newts and grass snakes.

The two properties currently on the site are a brick two-storey structure (No. 1 Warren Hill) and a timber clad bungalow (No. 1A Warren Hill). Both of these properties are vacant and were previously used as a care home facility. The site is currently overgrown and there is a large disused tennis court to the northern side of the plot.

### **Relevant History:**

EPF/426/78 – Use of building as an aged persons home and erection of single storey dwelling – allowed/conditions 13/08/80

EPF/1494/79 – Use as old peoples home and two storey extension – allowed/conditions 04/02/80

EPF/668/98 – Outline application for the erection of a detached house and garage – refused 12/01/99

EPF/2424/06 – Demolition of existing buildings and erection of six detached dwellings and associated works. Removal of section 52 agreement – refused 05/02/07 and appeal dismissed 27/07/07.

### **Policies Applied:**

DBE1 – Design of New Buildings

DBE2 – Effect of New Buildings on surroundings

DBE8 – Provision of Private Amenity Space

DBE9 – Amenity Considerations

H2A – Residential Development on Previously Developed Land

H3A – Housing Density

H6A – Affordable Housing

ST1 – Location of Development

ST2 – Accessibility of Development

ST4 – Vehicle Parking

CP7 – Urban Form and Quality

CF12 – Retention of Community Facilities

NC4 – Protecting Established Habitats of Local Interest

LL10 – Protecting Landscape Features

LL11 – Adequate Landscaping

I1 – Planning Obligations

### **Issues and Considerations:**

The main issues with regards to this proposal are the appropriateness of the housing development at this location, its effect on the surrounding residential properties and on highways, the loss of the care home, the effect on the local wildlife and with regards to the protected trees, and the overall design and layout of the development.

The previous application for six dwellings was refused by the District Council for the following reasons:

- 1 *The proposed curtilage of Unit 1 would fail to provide an adequate amount of private amenity space to this property.*

- 2 *Units 3, 4 and 5, due to their size bulk and proximity to the boundaries, would result in a cramped form of development detrimental to the character and appearance of the area.*
- 3 *The size and layout of the proposed curtilage of Unit 2 and position of the proposed vehicle and pedestrian access and gate to the site would put undue stress on the future viability of the protected trees.*
- 4 *The proposed layout of the rear curtilage of Units 3 and 4 would result in a lack of privacy to the proposed rear gardens of Unit 4 and 5.*
- 5 *The proposed development, due to the inclusion of integral double garages and large private driveways, would result in an over-provision of off-street vehicle parking.*

Of these the Planning Inspectorate agreed with reasons 1, 3 and 4. Therefore the main consideration in this application is whether these reasons have now been overcome.

### 1. Location

Although the application site is on the edge of the Loughton urban area it is within walking distance of Loughton Town Centre and Loughton Underground Station. There are regular bus routes serving the High Road (located 8.7m from the site) and given the proximity to Epping Forest and the adjoining playing fields it is close to public open space. The site currently contains two vacant buildings, previously used as care home facilities, and therefore the site is previously developed land. Due to this the application site is within a sustainable location and is acceptable for redevelopment.

Adjoining the application site is Warren Heights, a development of four detached houses approved in 1999 at Plans Sub-Committee. This is a similar gated development accessed off of Warren Hill, however it is of a smaller scale.

### 2. Density

PPG3 suggests a density of 30 dwellings per hectare in areas such as this, which is enforced through policy H3A of the Local Plan. The proposed five detached dwellings equate to less than 10 dwellings per hectare, which is considerably below that recommended. However H3A allows for lower densities depending on "the size and shape of the site, including any significant heritage, landscape or wildlife features". Due to the narrow shape of the site, the amount of protected trees to be retained, and the constraints due to the protected wildlife species in this location, it is felt that a higher density would be difficult to achieve on this area of previously developed land.

Given the size of the site (over 0.5 hectares) provision for affordable housing is required. Pre-application discussions with the Director of Housing have resulted in an agreement that, given the constraints of the site and the nature of the proposed development, it would be inappropriate to provide affordable housing on site. Therefore it has been agreed with the applicants that 5 houses elsewhere in Loughton will be provided to socially rent. This would satisfy policy H6A in terms of affordable housing provision.

### 3. Design

The proposed houses are modern in many respects, with large plate glass windows and other architectural features. They would be very large, two and a half storey, five bed houses with integral double garages and basements.

The four dwellings to the rear of the site (Houses 2-5 inclusive) are relatively unchanged from the previous application. Whilst the District Council refused the previous application due to the cramped form of development of these houses the Inspectorate felt that "the focus of plots 3-6 [now 2-5] on this part of the site is a reasoned and appropriate response to the not inconsiderable



topographical, landscape and ecological constraints on the site, as well as taking account of the character and form of surrounding development". They expand on this in that "the orientation of buildings and stepping of houses down the slope of the land... would produce an interesting and well articulated street scene, and one in which the scale and bulk of the buildings and their close proximity would not be over dominant characteristics". Therefore it is felt that the bulk and location of Houses 2-5 are acceptable.

House no.1 has been slightly reduced in size to bring it away from the western boundary as the Inspector noted that it was previously "very tightly sandwiched between the access road to Warren Heights... and the access drive for the proposed development itself". This relocation, along with the alterations to the access drive, give a better visual separation and spacing around this key front house. The character of properties in Warren Hill are generally large detached dwellings of a variety of styles and designs and house no.1 would be in keeping with this character.

#### 4. Amenity

The main difference in this application is the removal of the previous house 2 and the relocation of the entrance road. This has led to a dramatic increase in the level and quality of House No. 1 and House No. 2 (formerly No. 3). This would now provide adequate private amenity space that would benefit from sufficient sunlight through the day.

In terms of size of amenity space Houses 3, 4, and 5 have adequate private amenity space to serve their needs.

The part of the application site which immediately adjoins Warren Heights is the area of public open space, and the part of Warren Heights that it adjoins is the access road and central courtyard/turning area. This results in most of the proposed dwellings being a sufficient distance from Leightons and Elgar Place so as not to lead to a loss of privacy. House No. 5 would be built close to the boundary shared with Great Cedar, Polards Close, however as the only proposed flank windows serve ensuite bathrooms, and therefore would be obscure glazed, there would be no loss of privacy as a result.

The previous reason for refusal regarding loss of privacy to Houses 4 and 5 (now 3 and 4) have been overcome by straightening the boundaries and thus reducing any overlooking.

Most of the proposed properties would be sufficient distance from neighbouring dwellings so as not to result in loss of light or visual amenities with the exception of House No. 5. However this would be set off the shared boundary by 2.5m, which would reduce any detrimental impact on Great Cedar, and the area of garden affected would be one part of a large rear garden. Therefore any effects due to loss of light or visual amenities would be minimal.

#### 5. Loss of Community Facilities

The current use of the application site is for a care home, which constitutes a community facility. Policy CF12 states that "permission will only be granted for proposals which entail the loss of a community facility where it is conclusively shown that: the use is either no longer needed or no longer viable in its current location". The agents have had pre-application discussions with Essex County Council with regards to the need for care home facilities, and the County Council are of the opinion that they do not need additional facilities at this time. This only relates to 'Council-run' care homes and it is believed that there is a need for private care homes within this district. However the care facilities located on the site have been vacant for several years, which in itself suggests the lack of need for their operation, and the submitted figures show that it would not be economically viable to bring the site back into use as a care facility.

The Section 52 agreement that is proposed to be lifted relates to the bungalow to the rear of the site. This states that should the occupiers of said bungalow, a then George and Mary Mathieson, or their survivors vacate the bungalow then this would be converted and used as part of the old peoples home at the front of the site. As both of these properties are now vacant, and as mentioned above the loss of this derelict care home would be acceptable, the removal of the section 52 agreement would also be acceptable.

#### 6. Landscaping

Several protected trees will be removed as part of this application. Numerous pre-application negotiations were entered into between the agents and the Council's Arboriculturist, and the protected trees that are proposed to be removed will be replaced with new trees located elsewhere on site (mainly at the front to screen the development from Warren Hill).

The previous concerns with regards to the potential stress on protected trees due to overshadowing of amenity areas has been overcome by the removal of House No. 2 and the relocation of the access road and reallocation of private amenity space to House No. 1 and 3 (now No. 2). Whilst there is still concern regarding the handsome liquidamber located near the front of the site, the rooting zone of which is where the proposed gate and widened area to serve the pedestrian access is, the Inspector concluded that there would be no significant detrimental impact on this tree that could not be covered by a tree protection scheme.

#### 7. Nature Conservation

As previously mentioned both Great Crested Newts and Grass Snakes have been found on site. Mitigation measures have been outlined as to how these species will be handled, which English Nature are satisfied with. Also care will be required in terms of nesting bird habitats when trees are removed.

#### 8. Highways

The access to the proposed development would be off Warren Hill, slightly to the east of the existing vehicle crossover (which will be removed). The site would be gated, which is similar to Warren Heights, and the gates would be set back 13.5m from the edge of the highway. Although this development would result in more cars using the site than they do currently (as the site is vacant), its previous use as a care facility would have produced reasonably heavy vehicle movement. Due to this there would be no detrimental impact on highway safety.

Each house has integrated double garages and space in front for off street parking. The Inspector concluded that the "provision of integral double garages is an appropriate design-led solution to the provision of car parking and other storage needs which are likely to be associated with large family houses". Therefore this level of parking provision is acceptable.

A financial contribution of £25,000 towards improvements to transportation/highways is required from this development.

#### **Conclusion:**

Due to the above the proposed redevelopment of this site to provide five no. five bed houses and associated works would comply with all relevant Local Plan policies and is therefore recommended for approval.

### **SUMMARY OF REPRESENTATIONS:**

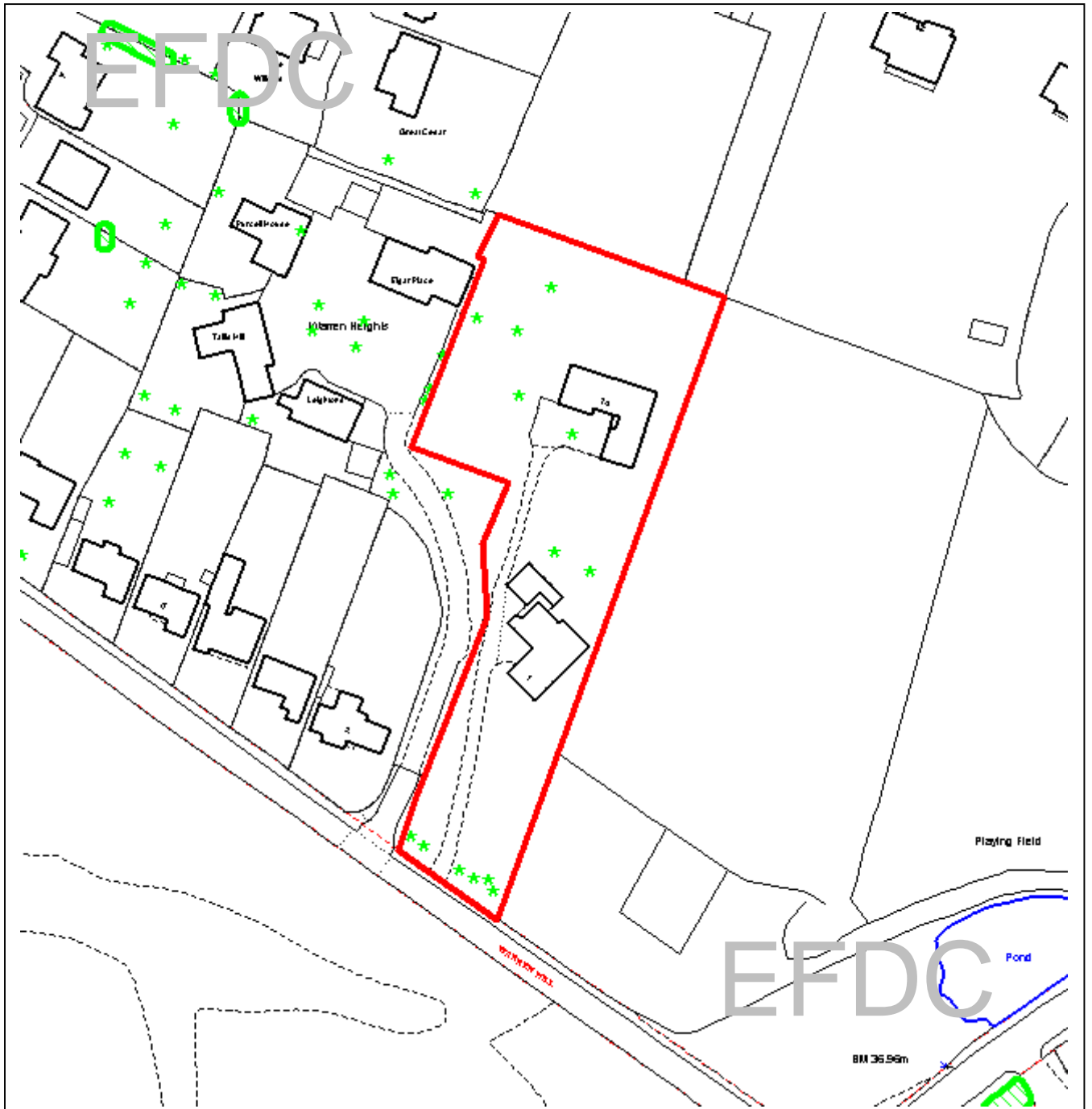
This report was written before the expiry of the consultation deadline. Any further representations from Loughton Town Council or neighbours will be reported orally to the Committee.

LEIGHTONS, WARREN HEIGHTS – Object due to overlooking, the tree coverage would not be in place during the winter months, the new road would increase noise pollution and the design of the properties are out of keeping with the properties in the vicinity.



# Epping Forest District Council

## Area Planning Sub-Committee South



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<b>Agenda Item Number:</b>	7
Application Number:	EPF/2510/07
Site Name:	1 and 1a Warren Hill, Loughton, IG10 4RL
Scale of Plot:	1/1250

**Report Item No: 8**

<b>APPLICATION No:</b>	EPF/2411/07
<b>SITE ADDRESS:</b>	15 Ardmore Lane Buckhurst Hill Essex IG9 5RY
<b>PARISH:</b>	Buckhurst Hill
<b>WARD:</b>	Buckhurst Hill West
<b>APPLICANT:</b>	Claudia Coistein
<b>DESCRIPTION OF PROPOSAL:</b>	Two storey side extension, part single storey part two storey rear extension, extension to front of garage, and reposition of front door. (Revised application)
<b>RECOMMENDED DECISION:</b>	Grant Permission (With Conditions)

**CONDITIONS**

- 1 The development hereby permitted must be begun not later than the expiration of three years beginning with the date of this notice.
- 2 Materials to be used for the external finishes of the proposed extension, shall match those of the existing building.
- 3 Notwithstanding the provision of the Town and Country Planning General Permitted Development Order 1995 (or of any equivalent provisions of any Statutory Instrument revoking or re-enacting the Order) no windows other than any shown on the approved plan shall be formed at any time in the first floor flank walls of the building hereby permitted without the prior written approval of the Local Planning Authority.
- 4 Notwithstanding the provision of the Town and Country Planning General Permitted Development Order 1995 (or of any equivalent provisions of any Statutory Instrument revoking or re-enacting that Order) no enclosure or balcony shall be formed at any time on any part of the roof of the development hereby approved without the prior written approval of the Local Planning Authority.

*This application is before this Committee since the recommendation differs from the views of the local council (Pursuant to Section P4, Schedule A (g) of the Council's Delegated Functions).*

**Description of Proposal:**

Consent is being sought for a two storey side extension, part single storey, part two storey rear extension and a single storey front extension. The two storey side extension would be 2.35m wide

and 6.1m deep with a ridged roof set 450mm below the existing ridge height. The single storey rear extension would be 11.5m wide and 3.5m deep with a flat roof to a maximum height of 3m. The two storey rear extension would be 4.8m wide and 2.1m deep with a pitched roof to a maximum height of 6.25m. The front extension would be 3.4m wide and 3.5m deep with a ridged roof to a maximum height of 3.4m. This roof would be continued over the existing flat roofed front extension.

### **Description of Site:**

Two storey detached property located on the southern side of Ardmore Lane, Buckhurst Hill.

### **Relevant History:**

EPF/1588/07 – Two storey side extension, single storey rear extension, extension to front of garage, and reposition of front door – withdrawn 04/10/07

### **Policies Applied:**

DBE9 and DBE10 – Residential Development Policies

### **Issues and Considerations:**

The main issues here relate to the potential impact on the neighbouring properties and with regards to the design.

#### **1. Impact on No. 13**

The proposed single storey rear extension would be 3.5m deep and would be built close to the shared boundary with No. 13 at its closest point. The existing rear wall of the application dwelling sits approximately 1m further forward than the main rear wall of the neighbouring property, which itself sits approximately 4m from the boundary. Due to this the proposed single storey rear extension would not be unduly detrimental to this neighbour.

The neighbouring dwelling has a two storey side addition built approximately 1m from the boundary, the rear wall of which is set back approximately 2m from the rear wall of the house. This contains a rear window which appears to serve a bedroom. The proposed two storey side extension would be built 1m from the shared boundary at its closest point, and would be set in from the existing rear wall of the house by 1.4m to overcome issues regarding loss of light to the closest first floor window in the rear wall of the neighbours property. The proposed side extension would not fall within 45 degree guideline from this neighbour's window and therefore would not result in a loss of sunlight.

The two storey rear extension would be located 2.5m from the side boundary at its closest point. It would have a hip ended pitched roof with a relatively low ridge height. Due to this there would be no unduly detrimental impact on the light or visual impact of the neighbour.

There are no side windows proposed in this development, and the flat roofed rear extension would be conditioned to ensure that no balcony is formed. Therefore there would be no loss of privacy as a result of this development.

## 2. Impact on No. 17

The proposed single storey rear extension would be located 1.5m from the shared boundary with No. 17, which has a ground level approximately 1m lower than the application site. Despite this change in levels, the set back proposed coupled with the dense screening along this section of boundary within the curtilage of No. 17 would result in the extension not being unduly detrimental to the neighbour.

The proposed front extension would not extend beyond the front wall of the neighbour's garage extension. Due to this it would have no impact on the occupiers of No. 17.

## 3. Design

The proposed two storey side extension would have a stepped-down ridge and a subordinate appearance, in line with local design guidance. It would retain at least a 1m gap between the extension and the side boundary and would not result in a terracing effect.

The proposed single storey rear extension would be flat roofed, however this would not be visible from the street scene. The existing property has a single storey side and front extension, both of which currently have flat roofs, so therefore the inclusion of a flat roofed rear extension would not be out of character with the house (although all existing flat roofed extensions would be re-roofed).

The two storey rear extension would have a hip ended pitched roof and would not be out of keeping with the main building.

The proposed front extension would have a hip ended ridged roof and would almost mirror that at No. 9. There are several other examples in the street of deep front extensions, including at No. 17, and therefore this would not be detrimental to the character or appearance of the street scene.

## **Conclusion:**

The application site has a large rear garden and the plot easily caters for the size of the extensions. The rear extension's proximity to the boundaries of the site are similar to many other examples in suburban areas like this and it will not cause loss of amenity. The design is acceptable and the proposed extensions would comply with Local Plan policies DBE9 and DBE10 and are therefore recommended for approval.

## **SUMMARY OF REPRESENTATIONS:**

PARISH COUNCIL – Object as the proposed rear extension is too close to the common boundary line.

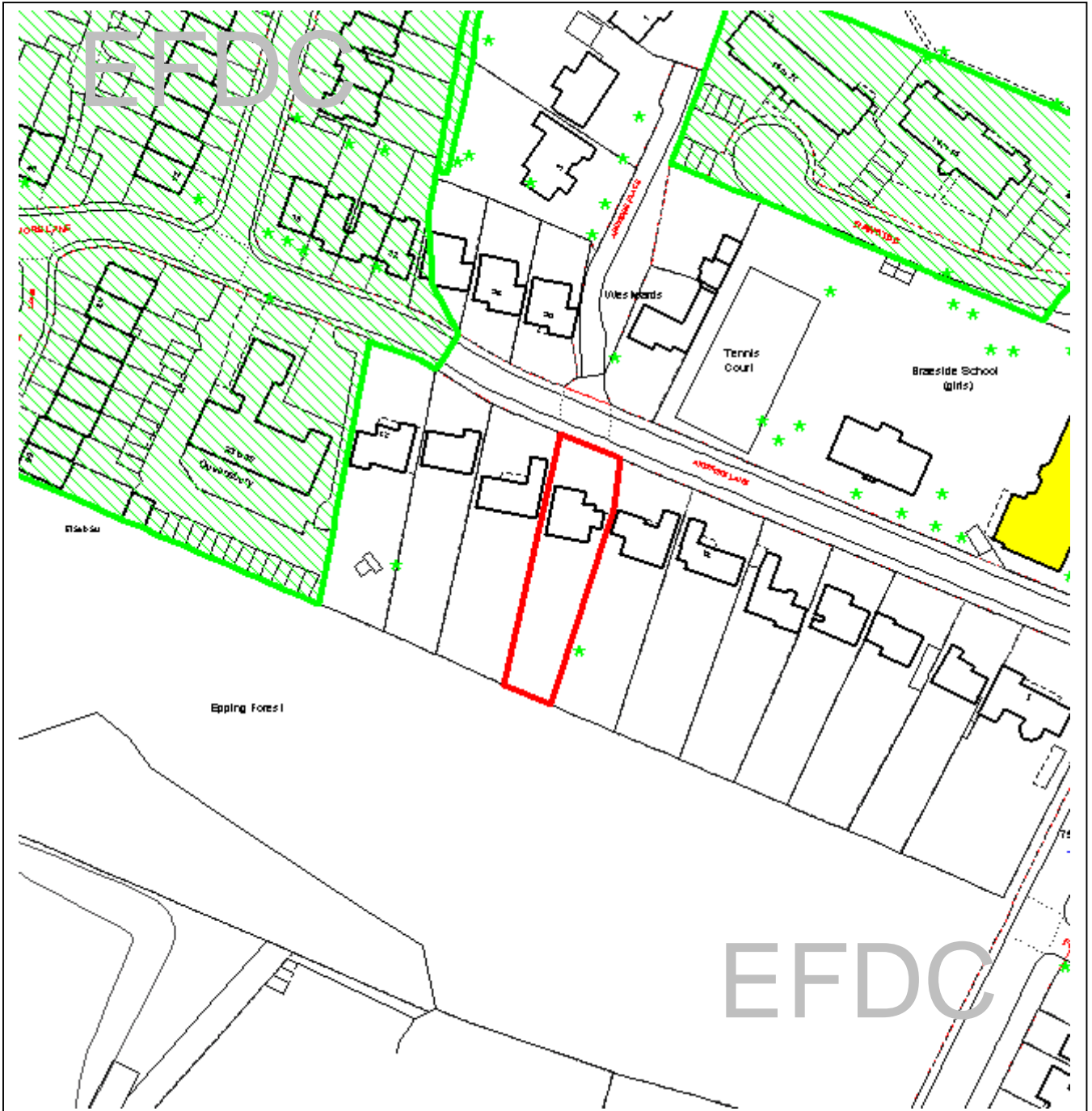
BUCKHURST HILL RESIDENTS SOCIETY – Concerned as the southern end of the side extension is to be built to the boundary and would result in overcrowding and encroachment. Also feel the rear extension is out of keeping with the neighbouring houses due to its large size and mainly flat roof.

13 ARDMORE LANE – Concerned as the side extension would be out of keeping with the street, the rear extension would be over dominant and of a poor design, and the entire proposal would be an overdevelopment of the site.



# Epping Forest District Council

## Area Planning Sub-Committee South



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<b>Agenda Item Number:</b>	<b>8</b>
Application Number:	EPF/2411/07
Site Name:	15 Ardmore Lane, Buckhurst Hill IG9 5RY
Scale of Plot:	1/1250



**Report Item No: 9**

<b>APPLICATION No:</b>	EPF/2420/07
<b>SITE ADDRESS:</b>	36 The Meadway Buckhurst Hill Essex IG9 5PG
<b>PARISH:</b>	Buckhurst Hill
<b>WARD:</b>	Buckhurst Hill West
<b>APPLICANT:</b>	Mr & Mrs S Lemka
<b>DESCRIPTION OF PROPOSAL:</b>	Two storey side extension with pitched roof to front bay (Amended application).
<b>RECOMMENDED DECISION:</b>	Grant Permission (With Conditions)

**CONDITIONS**

- 1 The development hereby permitted must be begun not later than the expiration of three years beginning with the date of this notice.
- 2 Materials to be used for the external finishes of the proposed extension, shall match those of the existing building.
- 3 Prior to first occupation of the building hereby approved the proposed first floor window opening in the west flank elevation shall be fitted with obscured glass and shall be permanently retained in that condition.
- 4 Notwithstanding the provision of the Town and Country Planning General Permitted Development Order 1995 (or of any equivalent provisions of any Statutory Instrument revoking or re-enacting the Order) no windows other than any shown on the approved plan shall be formed at any time in the flank walls of the building hereby permitted without the prior written approval of the Local Planning Authority.

*This application is before this Committee since the recommendation differs from the views of the local council (Pursuant to Section P4, Schedule A (g) of the Council's Delegated Functions).*

**Description of Proposal:**

This application is an amended application to a previously granted planning permission under EPF/0846/07 (see relevant history). The amendments are to provide a 0.7m deeper front porch, revised front elevation design and a reduced length ground floor side extension with a higher ridged roof.

### **Description of Site:**

The application site comprises of a two storey semi-detached dwelling situated on the south side of The Meadway in close proximity to Stradbroke Drive. Due to the close proximity with Stradbroke Drive, 12 Stradbroke Drive backs onto the property. The area is residential with a variety of styles, designs and sizes comprising of terraced, semi-detached and detached dwellings. There is hard standing at the front of the property with attached garage and sufficient amenity space provided at the rear.

Adjoining corner property has an existing two-storey side extension with approval awaiting implementation for a rear conservatory and loft conversion with rear dormer window and the neighbour to the west of the site (34) has a two-storey side extension set in approximately 1.0m from the boundary with the site.

### **Relevant History:**

EPF/0376/98: Two-storey side extension and single storey front extension – Grant (conditions) 11/08/1998

EPF/0535/99: Two-storey side extension to replace existing single storey garage. Grant permission (conditions) 11/06/1999

EPF/0186/07: Two storey side extension and single storey front extension including front bow windows. Refused - 04/04/2007

Reason for refusal: Inaccurate plans and harm to the visual amenity of locality.

EPF/0846/07: Two storey side extension and single storey front extension including front bow windows. (Revised application) - Grant (conditions) 25/05/2007

### **Policies Applied:**

Residential Development Policies from Epping Forest District Council's Replacement Local Plan:

DBE9 – Amenity considerations.

DBE10 – Extension design criteria.

T17 - Parking

### **Issues and Considerations:**

The main issues and considerations in relation to this application are the design, appearance and amenity of neighbouring properties.

#### *1. Amenity*

- The impact is similar to the previous proposal that was granted under planning ref. EPF/0846/07. The rear portion of the flank wall to the proposed two-storey side extension will be set 0.9m from the side boundary with adjacent dwelling at no. 34. This neighbour potentially would be most affected by the proposal but their garage is on this side and there will be no resultant loss of amenity. The porch extension is further away and will not affect either neighbour. There are no concerns of overlooking, loss of privacy or overshadowing to the amenities of no. 34 with the amended depth of the front extension from this proposal.

## 2. Design

- The front porch does project a little beyond its previous approved position but together with the rest of the front extension, bow windows and side roof pitched design; the proposal respects and enhances the design of the dwelling, improving on the previous approved extension.
- There remains sufficient off street parking at the front of the site for two cars, therefore the loss of the existing garage is acceptable.
- Parish Council objects as the side extension will be built close to the boundary on the ground floor leaving no side access to the rear garden. Access to the rear garden alone is not an amenity reason for refusal and there are other examples where similar extensions have been built and look visually acceptable in the street scene. The fear of a terracing effect is buildings merging on the first floor level, which will not occur in this case.
- The amended scheme is acceptable, will not be visually intrusive and will be in keeping with surrounding dwellings.

## **Conclusion**

The proposal will not cause any detrimental harm to the amenities of adjacent neighbour and will not be out of character with the existing dwelling and surrounding area. It complies with relevant Local Plan Policies DBE9, DBE10 and T17 and is therefore recommended for approval with conditions.

## **SUMMARY OF REPRESENTATIONS:**

PARISH COUNCIL: Object. Proposed development will be built on the common boundary, which leads to a terracing effect of the house and also results in loss of access to the rear of the house.



# Epping Forest District Council

## Area Planning Sub-Committee South



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<b>Agenda Item Number:</b>	<b>9</b>
Application Number:	EPF/2420/07
Site Name:	36 The Meadoway, Buckhurst Hill, IG9 5PG
Scale of Plot:	1/1250